

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JENNIFER DOLD, personal representative
of the estate of Alexander Dold; and KATHY
DUNCAN,

Plaintiffs,

v.

SNOHOMISH COUNTY, a political
subdivision of the State of Washington;
BRYSON McGEE; and CODY McCOY,

Defendants.

NO. 2:20-cv-00383-RAJ

DECLARATION OF JAMES E.
LOBSENZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY JUDGMENT
ON CLAIM FOR WARRANTLESS
ENTRY

I, James E. Lobsenz, do hereby declare under penalty of perjury under the laws of the
United State of America that the following facts are true and correct:

1. I am counsel for the Plaintiffs. I have personal knowledge of the facts set forth here.
2. Attached to this declaration as Appendix A are true and correct copies of excerpts
from the deposition of Plaintiff Kathy Duncan.
3. Attached to this declaration as Appendix B is a true and correct copy of the
SNOPAC 911 Radio Traffic Recording of Kathy Duncan's 911 call made on March
21, 2017.
4. Attached to this declaration as Appendix C are true and correct copies of excerpts
from the deposition of defendant Bryson McGee.

DECLARATION OF JAMES E. LOBSENZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
ON CLAIM FOR WARRANTLESS ENTRY – 1
(2:20-cv-00383-RAJ)

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on this 23rd day of March, 2022, I electronically filed the foregoing
3 **DECLARATION OF JAMES E. LOBSENZ IN SUPPORT OF PLAINTIFFS' MOTION**
4 **FOR PARTIAL SUMMARY JUDGMENT ON CLAIM FOR WARRANTLESS ENTRY**
with the Clerk of the Court using the CM/ECF system which will send notification of such
filing to the following:

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11
12 DATED this 23rd day of March, 2022.

13 s/ Deborah A. Groth
14 Legal Assistant

APPENDIX A

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JENNIFER DOLD, personal representative)
of the estate of Alexander Dold; and)
KATHY DUNCAN, mother of Alexander Dold,)

Plaintiffs,)

vs.)

) NO. 2:20-CV-00383

SNOHOMISH COUNTY, a political)
subdivision of the State of)
Washington; BRYSON MCGEE; and)
CODY MCCOY,)

Defendants.)

REMOTE
VIDEO DEPOSITION UPON ORAL EXAMINATION OF
KATHY DUNCAN

9:39 a.m.

January 26, 2022

Seattle, Washington

STENOGRAPHICALLY REPORTED BY:

JANE L. WORDEN, RPR, CCR No. 2726

1 A. Less than six months.

2 Q. And you mentioned he worked at a casino as a
3 dealer?

4 A. Yes.

5 Q. What casino was that?

6 A. Drift On Inn in Shoreline.

7 Q. How long did he work there?

8 A. I'm not sure.

9 Q. Was it less than six months?

10 A. I believe more.

11 Q. Do you remember what year he worked there?

12 A. Well, it was before I was in Edmonds.

13 So before 2011, if I remember correctly.

14 Q. Do you know why he left that job?

15 A. Please repeat.

16 Q. Yes, do you know why he left that job?

17 A. He was uncomfortable. He used to say things like
18 people were staring at him and talking about him. And I
19 don't know if he quit or if he was let go.

20 Q. Was Alex receiving any type of disability
21 benefits?

22 A. Yes.

23 Q. Where was he getting those benefits from?

24 A. The federal government; it was Social Security
25 Disability.

1 A. When he didn't go get his shot, they dropped him
2 out of the program he was in, and we were trying to find
3 another doctor that would accept him to give him meds.

4 And we were upset that they dropped him out of
5 the program he was in.

6 Q. What program was he in?

7 A. When he was involuntarily committed, they set him
8 up on this thing where he was going to have like a
9 caseworker and somebody would come see him all the time,
10 and they could take him shopping.

11 And it looked good on paper, but it never
12 worked out the way they said it was going to. And he
13 never even met the caseworker, the man that was supposed
14 to be helping him. He never came out to the house like he
15 was supposed to.

16 Q. It's my understanding that Alex was hospitalized
17 on at least two occasions; is that correct?

18 A. Yes.

19 Q. When was the first time that he was hospitalized?

20 A. I don't remember the year.

21 Q. Do you remember where you were living when that
22 happened?

23 A. Edmonds.

24 Q. So sometime between 2011 and 2014 was his first
25 hospitalization?

1 Later on I like to catch CNN.

2 Q. When you have the TV on for background and you're
3 resting in your chair, do you do anything else at the same
4 time such as read or look through mail?

5 A. I look at my phone sometimes.

6 Q. Do you remember if you looked at your phone that
7 day on the 21st?

8 A. I'm sure I did.

9 Q. What happened when Alex came back into the house?

10 A. He asked for more money.

11 Q. Did he approach you -- I'm sorry.

12 A. He asked for more money.

13 Q. Did he approach you as soon as he came back in the
14 house?

15 A. Repeat, please.

16 Q. Sure. Did he come and ask for money as soon as he
17 came back in the house?

18 A. Yes.

19 Q. What did you say?

20 A. I said, Alex, you've already had your money for
21 today, and you still have quite a bit of month left.

22 (Reporter clarification.)

23 A. Yes, quite a few days of the month left. Yeah.

24 Q. What happened next?

25 A. Well, he said it was his money and, you know,

1 he'll be okay. And that's when he walked over to where I
2 was sitting.

3 Q. And what happened next?

4 A. Okay. He grabbed my lanyard. And this is what it
5 was like for keys, no money, no nothing, just keys. And
6 he broke it. It was a purple one. He tried to take my
7 phone. And I was going like this.

8 And he put his hand back like he was going to
9 hit me. And he spit on me. And he grabbed the foot of my
10 recliner that was out and pulled it up, and so the
11 recliner went backwards with me in it. And then he left.

12 Q. So I just want to remind you to try and sit back a
13 little bit from the computer. Thank you so much.

14 So did Alex raise his voice during this
15 instance with you?

16 A. He didn't say anything when he was by my chair.
17 But when he first came in, he was a little bit louder, but
18 he wasn't yelling or anything. He wasn't like --

19 He just said, It's my money. I'll be okay.

20 Q. Did he appear to be angry that you were not giving
21 him the money?

22 A. Yes.

23 Q. You said that he broke your lanyard.

24 Did he try to tear it off your neck?

25 A. He just went like that. It's cloth, and just went

1 like that, and it broke.

2 Q. And it was hard to see on the video. But can you
3 show us what you were doing with your phone?

4 A. When he tried to take it, I was holding it as hard
5 as I could like this so he wouldn't get it.

6 Q. Did he say why he was trying to take it?

7 MR. LOBSENZ: Excuse me, Shannon, just for one
8 sec. Object to form as to the assumption that she was
9 holding her phone. She doesn't have a phone in her hands
10 right now. I know you can't see that exactly, but there's
11 no phone.

12 Q. BY MS. RAGONESI: Ms. Duncan?

13 A. Yes.

14 Q. Did Alex say why he was trying to take your phone?

15 A. No.

16 Q. Why do you think he was trying to take your phone?

17 A. I have no idea.

18 Q. And then did you say that he spit on you?

19 A. Yes.

20 Q. Where did he spit on you?

21 A. I think it went on my shirt.

22 Q. And did you believe he did that intentionally?

23 A. Yes.

24 Q. You said that he grabbed the bottom of your
25 recliner and flipped it up?

1 A. Yeah. I had my feet up, the foot part, and he
2 grabbed the foot part and flipped the chair backwards.

3 And then he left.

4 Q. When he flipped the chair backwards, did that flip
5 you as well?

6 A. I was sitting in the chair; so I was sitting
7 upside down in my recliner.

8 Q. During this confrontation did you also get hit in
9 the mouth?

10 A. He did not hit me with his hand. When I had the
11 phone and we were fighting over it, that's what I meant
12 when I said he gave me a fat lip, because we were going
13 like this, and I had a perfect little indent of my
14 cellphone right there.

15 MR. GROSS: Sorry to interrupt. But it looks like
16 something's going on with Jen and Vanessa Dold. They're
17 doing something that I don't know what it is.

18 MR. LOBSENZ: I think what they're talking about
19 is the battery on the laptop that's connecting them is
20 running low. Oh, it's connecting me. You won't be able
21 to see me in a minute or so.

22 So maybe we can stop for a second and figure
23 out what to plug in or something, I don't know.

24 MS. RAGONESI: Let's take a break in place until
25 you can plug in. Thanks, Nick.

1 what to do, you know. I was just so surprised and maybe
2 could have been like shocked. But I was just surprised
3 that he did that because he'd never done that before.

4 Q. What were you thinking about after it happened?

5 A. Oh, he needs to be back on meds. He needs to go
6 to the hospital, you know. How are we going to do that.

7 Just the usual mom things.

8 (Reporter clarification.)

9 A. Mom things, yeah, and...

10 Q. Go ahead. Were you finished with your answer?

11 A. Oh, didn't I answer?

12 Q. No, you did. I just didn't know if you were
13 finished. I couldn't tell if you were still thinking.

14 So after you thought about what to do, then
15 you called Jen and Vanessa?

16 A. Yes.

17 Q. And what did you talk about with them?

18 A. I told them what happened. And I said, I want to
19 get Alex back in the hospital and back on his meds. This
20 would be a perfect example for the hospital to say, yes,
21 we'll admit him.

22 Q. And what did they say?

23 A. Pardon?

24 Q. What did they say when you told them that?

25 A. Oh, yeah. Well, I know one time Jennifer goes,

1 Mom, you want to come to my house? And I said, No, I want
2 to stay here for if and when he comes back because I want
3 him to go to the hospital. So I stayed. I didn't leave.

4 Q. You mentioned that this was a perfect opportunity
5 for the hospital to say yes.

6 Had there been a time when the hospital had
7 said, no, it would not accept Alex?

8 A. Well, not specifically. They evaluate, and they
9 can say we don't think they need to be in, or they, yes,
10 we agree. So to me this was an obvious yes.

11 Q. And when you spoke with Jen and Vanessa, did the
12 three of you come up with a plan of what to do next?

13 A. Well, I told them, I'm going to wait here for if
14 and when he comes home. And then when he comes home, I'll
15 call and have somebody come out and talk to him and take
16 him to the hospital.

17 Q. Who did you plan to call to come and talk to him?

18 A. Well, the first people we called, or I called and
19 Jennifer called, was a crisis number we were given by
20 NAMI. And that was the first number I called, and they
21 wouldn't come out.

22 Q. Do you remember who you spoke with at the crisis
23 center?

24 A. Not a name, but I have the phone number still on
25 my phone, and it's on my phone records. I called them,

1 and a different number called me back from the same
2 association, yeah.

3 Q. And what did they say when you called them?

4 A. They wouldn't come. Call 911.

5 (Reporter clarification.)

6 A. Call 911 they said. That's totally against what
7 NAMI taught us. They said call that number for help.

8 And they didn't help.

9 Q. Did they tell you why they wouldn't come?

10 A. Not to me, no. They just said, Call 911. And I
11 said okay.

12 Q. Did they tell someone else why they wouldn't come?

13 A. Pardon?

14 Q. Well, you said "Not to me."

15 So I'm wondering did they tell somebody else
16 why they would not come out to the house?

17 A. Well, Jennifer made a separate call.

18 Q. Did she make her call after you had made your call
19 to the crisis center?

20 A. I don't know what time. I'm sure close.

21 Q. And what did Jennifer tell you the crisis center
22 told her?

23 A. He's not violent enough. Call 911.

24 Q. Did they tell her anything else that she shared
25 with you?

1 A. Not that I recall.

2 Q. What happened next?

3 A. Pardon?

4 Q. What happened next?

5 A. I sat and waited for Alex to come home. I figured
6 the police would come in, talk to him. So I cleaned off
7 his coffee table that had a bunch of his stuff on it,
8 cups, ashtrays, that type of thing, cleaned that up. Just
9 sat and waited.

10 And the girls, you know, called back and
11 forth. Is he home yet? No. You know, I just waited. I
12 didn't know if he was going to come back, but I wanted to
13 be there when he did.

14 Q. And eventually Alex did come back; correct?

15 A. Yes.

16 Q. How long had he been gone?

17 A. Over three hours.

18 Q. And why do you say it was over three hours?

19 A. Well, from when he left to when he came back.

20 Q. So what time did he leave?

21 A. When did he leave?

22 Q. Yes.

23 A. 5:30?

24 Q. And how do you know it was 5:30?

25 A. Just from when I got home and when he was upset.

1 And he left right away after he turned my chair over.

2 Q. So did you look at a clock, or are you
3 guesstimating the time?

4 A. Probably going by what happened, yeah.

5 Q. So you're guessing at the time?

6 MR. LOBSENZ: Object, misstates her testimony.
7 Go ahead.

8 THE WITNESS: From when I got home to when it
9 happened and he left, it was in a short time. And then I
10 waited for him to come home. He came home once, and I
11 thought, oh good, he's home for the night. And that was,
12 I don't know, 8:30ish.

13 And then he left again to go to a I believe a
14 gas station for something. And then he came back. And
15 then that's when I figured he was home for the night. And
16 that would have been 9:00, 9:05, around there, because I
17 called 911 at 9:15.

18 Q. BY MS. RAGONESI: So to back up, after the
19 altercation with Alex and he left the house, did you look
20 at the clock when he left the house?

21 A. I don't recall.

22 Q. You said that he came home the first time around
23 8:30ish. How do you know it was 8:30ish?

24 A. Well, I know when he was home for the night and he
25 wasn't gone too long. He just ran to a local gas station

1 to get a snack or whatever. And then he came right back.
2 Because I was thinking, oh, geez, I hope he's not, you
3 know, going to be been gone for the rest of the night now.

4 But he came back.

5 Q. So when he came back the first time, did you look
6 at the clock to note the time that he returned?

7 A. No.

8 Q. At some point you left the house to call 911;
9 correct?

10 A. Yes.

11 Q. When did you do that?

12 A. I called them around 9:15. So probably
13 five minutes before that, and I said, I'm going to the
14 store, Alex. I'll be right back.

15 Q. Excuse me.

16 A. I was being nonchalant.

17 Q. No, no, no, I was just coughing. Sorry, trying
18 not to cough in your ear.

19 So what were you hoping to happen when you
20 called 911?

21 A. Three times I said, I want an officer to come,
22 talk to Alex, take him to be evaluated and hopefully
23 admitted to the hospital. Three times. That was the
24 whole reason I called.

25 Q. So you wanted him admitted to the hospital?

APPENDIX B

SM17-6 911 CALLS AND RADIO TRAFFIC

CALL #1:

SNOPAC 911, what is the location of your emergency?

CALLER Um, 12...

SNOPAC (Inaudible) go ahead.

CALLER Pardon?

SNOPAC Go ahead.

CALLER 12014 221st St. SE, Snohomish.

SNOPAC 2...did you say 2...

CALLER I'm...I'm...

SNOPAC Did you say...(inaudible) hold on, did you say 224th St.?

CALLER No, 12014...

SNOPAC Uh-huh (affirmative response).

CALLER ...221st...

SNOPAC 1st.

CALLER ...St. and you go up Echo Lake Road and right past...

SM17-6 911 CALLS AND RADIO TRAFFIC- Case #SM17-6

SNOPAC And that's what, SE?

CALLER Yes.

SNOPAC Okay; and is that a house or a...

CALLER You go up Echo Lake...

SNOPAC Is that a house or an apartment?

CALLER It's a house.

SNOPAC And what's happening there?

CALLER Well, my...my adult son lives with me, he has schizophrenia and he hasn't taken his medicine since November or December and he was tossing around the house tonight and he hasn't done that before so that's...he just went over the line and he...

SNOPAC So he's verbal?

CALLER I have a fat lip and he yanked the landlord...or he...the lanyard off my neck and he was trying to get my phone and I think that's when he hit me and he had his arms cocked...

SNOPAC Any weapons involved?

CALLER Um, no. I...I have a gun but it's with me and uh...

SNOPAC Is it secured?

CALLER Pardon?

SNOPAC Is it secured?

CALLER Yes, it's zipped up and it will be locked in...in the car. He won't be violent with them. He's afraid of police because when he...a friend of his in high school was killed by a policeman so he was...

SNOPAC And...what is the...

CALLER And I want no lights, no sirens. I just want them to go and talk to him and then he has to go to the hospital 'cause I'm...I'm...I...I was so afraid. I mean, he spit on me, he flipped my recliner upside down, I was upside down, uh, he hit me in the lip, um, and he...he's...he's never done that before.

SNOPAC What's his first name?

CALLER Alexander; and he's 29. He's like 6 feet tall.

SNOPAC What's his last name?

CALLER Dole, D-O-L-D.

SNOPAC D.

CALLER He's...he's been in um, the hospital twice for this; not for being violent but for schizophrenia. Usually he's just been...

SNOPAC Where...where is he right...where is he right now?

CALLER He's...he's at our house and I just came up to the store pretending like I'm coming to the store so I can call and then I'll...I'll go back.

SNOPAC Well, I want for you to do whatever you need to do to keep yourself safe. So are you injured? Do you need an aid car?

CALLER Oh no, no, no.

SM17-8 911 CALLS AND RADIO TRAFFIC- Case #SM17-6

SNOPAC But you're requesting an aid car for him?

CALLER No, (Inaudible)...

SNOPAC Are you requesting an aid car for him or...

CALLER No, I'm...no I'm...

SNOPAC Okay.

CALLER ...requesting an officer to take him to the psychiatric...be evaluated tonight; he needs to be in the hospital because he hasn't...

SNOPAC Okay; so...

CALLER ...done that before and I'm...

SNOPAC Okay.

CALLER ...I'm afraid to have him with me.

SNOPAC Okay; so...but nobody there needs an ambulance, nobody there needs aid, is that correct?

CALLER Pardon?

SNOPAC Nobody there needs aid, like an aid car?

CALLER No, no, no, no, no...

SNOPAC Okay.

CALLER No, he's...he's...he's calm now and I haven't said anything; since he came back I was just waitin' for him to come back so I could call 911 'cause, you know, he crossed the line tonight and I...he has to be in the hospital 'cause you know, he...I was really afraid when he did that. He just had his arms cocked back like he was just gonna...and he spit on me then he, you know, just like...

SNOPAC So you...

CALLER ...he was trying to grab my phone and...

SNOPAC So you have...

CALLER ...I was talking to the crisis place.

SNOPAC So you left the house in order to call?

CALLER Ye...yes because if he hears me he'll probably take off; and my house is on the left-hand side of 221st, there's a streetlight right on...on my driveway, it's...it has a wooden fence around it and...and a straight-in driveway and he's...he's parked in there so if they block the driveway he won't be able to leave. I can park out on the street. But you know, like I said, he's...he doesn't have weapons, he's normally not violent, he...he wanted more money and he's, you know, gone through...he gets social security and he gets so much and he's had it three times today and I said, "Alex, you're gonna run out of money, you know, you just can't keep doing this" and he got really mad and "It's my money!" You know, "Give it to me!" and he just went crazy.

SNOPAC Okay; and can I get your name?

CALLER But he's calm now.

SNOPAC Can I get your name?

CALLER Kathy Duncan; I'm his mother.

SNOPAC Is that with a C or a K, Kathy?

CALLER K; and he's been hospitalized, uh, twice.

SNOPAC Okay; and can I get your phone number?

CALLER Um; my cell is 360-551-0614. That's...that's the one I'm on right now.

SNOPAC So where...

CALLER There's no working house...

SNOPAC So where are you going to be for contact? You said you're gonna...are you going back to the house or...

CALLER Oh, I'll...I'll...I'll go home. I can go home.

SNOPAC Okay; well, I want you to do whatever you need to do to keep yourself safe, okay?

CALLER Yeah yeah. You know, you know, like I said, he's...he's not like the people you see on the news that are going around with hatchets and stuff, you know, he just...

SNOPAC Okay; so you're going back to that...

CALLER You know, he...

SNOPAC ...you're going back to the house?

CALLER Ye...yes, yes; I'm just gonna act like nothing's goin' on and then you...you...you guys can come, um, there's a automatic light that comes on and he has a white Neon, it's parked in the driveway and when you walk

towards the front door the light will come on and at the back door the light comes on too.

SNOPAC So his...his vehicle is a white...like a white Dodge Neon? Is that what you said?

CALLER It...I think it's a...it says Plymouth on the car.

SNOPAC Oh Plymouth, okay, Plymouth Neon.

CALLER Yeah, it's...it's a old 90's...

SNOPAC Yeah.

CALLER ...cream colored, uh, Neon and he just came back from...he was probably at the store and I just acted like...I didn't even talk to him, I just said, "I'll be back in a bit." Yeah, you know, I just...

SNOPAC And what kind of vehicle...what kind of...what kind of vehicle are you in?

CALLER I'm...I'm in a blue Yaris Hatchback and I can...I can park by that...in front of the fence. I...I won't go in the driveway.

SNOPAC Okay, well, I've advised...

CALLER (Inaudible)...

SNOPAC I've advised deputies to contact you there, okay? And like I said, I want for you to do whatever you need to do to keep yourself safe.

CALLER Okay, well I...I just want him taken in for...he...he needs a psychic eval...or he needs a psych evaluation 'cause I'm...I'm not gonna go through this again, you know, with him doing that to me 'cause I...I was really afraid. You know, I thought he was just gonna haul off and he's...he's big, he's 6 foot, you know, he's a big guy and you know he could've really...

SNOPAC So he's...

CALLER ...done more damage than he did.

SNOPAC So is he a white male adult?

CALLER Yes; and he's cut off his hair. He...

SNOPAC Oh...

CALLER ...he does that every once in a while; he likes to shave his hair off.

SNOPAC So it...so he...so he's bald right now?

CALLER Um...

SNOPAC Or shaved...

CALLER ...I would...I would call it bald...

SNOPAC ...kinda tight?

CALLER ...yeah, shaved head.

SNOPAC Okay.

CALLER 6 feet, um, and he could possibly...

SNOPAC Do we know what...

CALLER ...be on the...when you...when they come he could possibly be on the front porch smoking 'cause they'll be ankle deep in cigarette butts and his pop cans and stuff 'cause he just throws stuff all...all over the front yard...

SNOPAC What is he...

CALLER ...but he goes out...

SNOPAC ...what is he...what is he...what is he wearing for a shirt or jacket?

CALLER Uh, probably sweats and a T-shirt. He...He's just really casual; sweats, T-shirts, short...oh, he la...when I left he had a orange, um, soccer jacket on. I...I don't know if he still has it on.

SNOPAC Okay.

CALLER It's a real...a real bright orange but yeah, he...he...it...it...it's only me and him and I...and we have a little yappy dog so I better go get her tied up.

SNOPAC Okay, well I want...

CALLER 'cause she...

SNOPAC ...yeah, I want for you to do whatever you need to do to keep yourself safe. I have advised, uh, deputies to contact you there.

CALLER Okay.

SNOPAC Uh...

CALLER Do I...so they'll come or call?

SNOPAC Well, I've advised 'em to contact you there in person 'cause that's what you wanted...

CALLER Okay, good.

SNOPAC ...right?

CALLER Yes, yes.

SNOPAC So if they...

CALLER But I...I just want them to take him and have him evaluated because...

SNOPAC Uh-huh (affirmative response).

CALLER ...it's not...

SNOPAC Okay.

CALLER ...you don't throw your mom around the house and hit her and you know...

SNOPAC Okay.

CALLER ...when you do stuff like that, that's not normal.

SNOPAC Right. So if anything...like I said, that's why I want you to do whatever you need to do to keep yourself safe, okay?

CALLER Okay, okay.

SNOPAC And if...

CALLER Okay, I will.

SNOPAC And...and if anything changes call us right back, okay?

CALLER Oh, okay.

SNOPAC Alright.

SM17-6 911 CALLS AND RADIO TRAFFIC- Case #SM17-6

CALLER Okay, thanks.

SNOPAC Thank you, buh-bye.

CALL #2:

SNOPAC 911, what's the location of the emergency?

CALLER Um, 12027 221st St. SE, Snohomish, WA, 98296.

SNOPAC Okay, that was 12027?

CALLER But it...yeah, it's not our house though, it's the one in front so we have the...we have the fence and then it's the house in front of the fence.

SNOPAC Okay, it looks like somebody's on the call...

CALLER Under the lamp.

SNOPAC ...let me make sure, hold on.

CALLER (Inaudible).

SNOPAC Do you know what's going on?

CALLER. I have no idea but there's just a lot of screaming. We could hear it from inside the house.

SNOPAC What kind of screaming are you hearing?

CALLER Um, we heard somebody say, "Show your hands" and then um, sorry, I'm...I'm running inside my house. Um, they uh, (Talking to background- Travis, can

APPENDIX C

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JENNIFER DOLD, personal)
representative of the estate)
of Alexander Dold; and)
KATHY DUNCAN,)

Plaintiffs,)

vs.)

NO. 2-20-cv-00383-RAJ

SNOHOMISH COUNTY, a political)
subdivision of the State of)
Washington; BRYSON McGEE; and)
CODY McCOY,)

Defendants.)

REMOTE VIDEO RECORDED DEPOSITION UPON ORAL EXAMINATION OF
BRYSON MCGEE

TUESDAY, DECEMBER 7, 2021

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1 Q Okay. Was anyone else in the precinct, if you recall,
2 besides you?

3 A The only ones that I recall being there were
4 Cody McCoy and Dep. Chris Marino.

5 Q Dep. Chris Marino was also there?

6 A Yes.

7 Q Okay. And did you get information from police radio
8 around 9 o'clock?

9 A Did I?

10 Q Yeah.

11 A I, at some point after 9 I believe I did, yes.

12 Q What was the information you got initially?

13 A Exactly what it was -- I'm not sure what was said, but
14 it was dispatching myself and Dep. McCoy to a physical
15 domestic.

16 Q Okay. Anything else you remember besides getting
17 information that you were to go to a physical domestic?

18 A The, the address was off -- it was quite a distance
19 away. It was in the Charles 4 beat. And the
20 information was something to the effect of a male and a
21 female were physical, there was an altercation, and it
22 may not have been in this order, but the male was
23 schizophrenic or something and off his medication and
24 the mom -- the reporting party had requested that he go
25 for a psych' eval'.

1 reading the text of the call the R, the R, the reporting
2 party was identified as Ms. Duncan.

3 Q Okay. So, if we pick for a moment the moment where
4 you're standing on the porch just about to knock on the
5 door to the Duncan house, at least by that point you
6 knew that the reporting party was the mother of somebody
7 else living there?

8 A I believe so, yes.

9 Q Okay. You said that the radio told you that there was a
10 physical domestic. Have you had a chance to -- not
11 "have you had a chance." In the last couple of days,
12 have you reviewed the transcript of the police radio?

13 A I've -- I briefly looked at it.

14 Q Okay. And do you recall that you were told by police
15 radio male verbal and physical?

16 A Well, I don't, I don't know what was -- what the
17 dispatcher said because they don't always, they don't
18 always state the context of the calls.

19 Q Okay. What, if anything, at least while you were there
20 in the precinct were you told about how the male had
21 been physical?

22 A At this point I, I don't recall.

23 Q By the time you got to that point where you're about to
24 knock on the door to the house, do you know if you'd
25 been told anything at all at that point about how the

1 male had been physical?

2 A I don't recall.

3 Q By the time you're about to knock on the house, do you
4 recall if you had learned anything at all about anything
5 verbal that the male had said to the female?

6 A That the dispatcher said?

7 Q Yeah. I -- It's do you recall whether you got any
8 information from Dispatch or any other place by the
9 point that you're about to knock on the door. Did you
10 get any information from anyplace about how the male had
11 been verbal in some way?

12 A I don't recall.

13 Q Okay. But by the time you knocked on the house door you
14 knew that there was a relationship between the male and
15 the female and you knew they were mother and son; is
16 that correct?

17 A Correct.

18 Q Okay. All right. What, if anything, can you recall
19 Dispatch telling you about this address or the
20 neighborhood to which you were sent?

21 A All I recall was them dispatching me to, to the address.

22 Q Do you recall Dispatch telling you that the mother was
23 going to go back to the house and was not in it when she
24 placed the call?

25 A I remember that being in, in the text that she had left

1 to call because he was gonna be upset if he, if he knew
2 that she had called.

3 Q Okay. And what about the other part, that she was gonna
4 go back to the house; do you recall being aware of that
5 by the time you're knocking on the door?

6 A I believe the last -- one of the updates that, that we
7 received, I think that came in while we were driving
8 there, that she was heading back.

9 Q Okay. So, you've referred to update and maybe something
10 else. I take it between the precinct and getting to the
11 dispatched address that you receive additional
12 information occasionally from police radio?

13 A I'm sure, I'm sure we did. Any of the supplements that
14 were given like that being one of them that she was
15 returning to the house, but what exactly they were at
16 this point I don't recall.

17 Q Did police radio tell you anything about the mother's
18 emotional state?

19 A The mother's?

20 Q Yeah.

21 A Not that I recall.

22 Q Do you remember police radio telling you that the mother
23 says everything is calm, or "I am calm"?

24 A I don't recall that, no.

25 Q Do you recall whether the police radio told you that the

1 mother sounded -- had any kind of emotional sound in her
2 voice, tell you anything about her voice?

3 A Not, not that I recall.

4 Q Did police radio tell you that she sounded scared?

5 A Did the dispatcher tell me that? Is that what you
6 asked?

7 Q Yeah.

8 A I don't recall the dispatcher saying that at all.

9 Q Did anybody tell you that prior to the point you're
10 knocking on the door?

11 A No. Don't recall.

12 Q But you do recall at some point before the knock on the
13 door learning that the mother wanted the son to have a
14 psych' eval'; is that right?

15 A Yeah, I think that was, that was a part of the original
16 dispatch.

17 Q Okay. At any point before knocking on the door, did the
18 police radio tell you anything about whether the mother
19 wanted her son to be arrested?

20 A If she wanted him to be what?

21 Q Arrested.

22 A I'm not certain if that was said or not.

23 Q Okay. When you learned that the mother wanted the son
24 taken for a psych' eval', did that trigger any thinking
25 in your mind about where you were gonna go after this,

1 A I don't believe I completed. I think -- If my memory
2 suits me that's why I was -- I was working on, a report
3 when we got dispatched.

4 Q But that isn't my question if you were working on a
5 report when you got dispatched. But my question is then
6 the dispatch comes. And I'm asking you do you remember
7 continuing to work on that report after you got
8 dispatched.

9 A No. What I, what I would have done was collect whatever
10 papers I had, save the report and punched the address
11 into the map and be on our way.

12 Q Did police dispatch radio ever tell you that there was
13 an emergency?

14 A That what?

15 Q That there was an emergency at this address.

16 A I -- It wasn't -- It only came across that it was
17 dispatched at.

18 Q Yeah, my question is did police dispatch ever tell you
19 there was an emergency at this address?

20 A I don't believe "emergency" came out of her mouth.

21 Q Okay. Did you have any reason to think there was any
22 emergency at that address?

23 A Well, that's... A physical domestic is a, kind of a
24 higher priority call.

25 Q That's not my question. Did you have any reason to

1 think there was an emergency at that address?

2 MS. RAGONESI: Object to the form of the

3 question.

4 A Yes.

5 Q Okay. And why did you think there was an emergency at

6 that address?

7 A Because it was dispatched as a physical domestic.

8 Q Okay.

9 A The information that was given.

10 Q What information that was given? You mean male

11 physical?

12 A Yeah.

13 Q Okay. And what made you think that that male physical

14 dispatch information meant that there was something

15 emergent at that time?

16 A Well, typically when, when we get dispatched to people

17 that are assaulting other people that's a, that's a

18 priority.

19 Q Okay. Were you given any information as to when this

20 physical altercation had occurred?

21 A Not that I recall.

22 Q Okay. So, you had -- You tell me if this is right. You

23 had no way of knowing when in the last twelve hours this

24 had occurred?

25 A The way that it, that it was dispatched it made it

1 think there was an emergency at that address?

2 MS. RAGONESI: Object to the form of the
3 question.

4 A Yes.

5 Q Okay. And why did you think there was an emergency at
6 that address?

7 A Because it was dispatched as a physical domestic.

8 Q Okay.

9 A The information that was given.

10 Q What information that was given? You mean male
11 physical?

12 A Yeah.

13 Q Okay. And what made you think that that male physical
14 dispatch information meant that there was something
15 emergent at that time?

16 A Well, typically when, when we get dispatched to people
17 that are assaulting other people that's a, that's a
18 priority.

19 Q Okay. Were you given any information as to when this
20 physical altercation had occurred?

21 A Not that I recall.

22 Q Okay. So, you had -- You tell me if this is right. You
23 had no way of knowing when in the last twelve hours this
24 had occurred?

25 A The way that it, that it was dispatched it made it

1 appear as though it was recent.

2 Q Okay. Tell me what it -- the way in which it was
3 dispatched made it appear recent.

4 A The fact that she had called it in. She said that it
5 was a physical domestic, she had to leave to call 9-1-1
6 because he was gonna be upset or leave. I mean, that
7 pretty much sums it up.

8 Q Okay. And what about that information made it appear
9 recent, that it had happened recently?

10 MS. RAGONESI: Object to form.

11 A The fact that she didn't say it happened yesterday.

12 Q Okay. So, you thought it had happened in the last
13 twenty-four hours?

14 MS. RAGONESI: Object to form.

15 A I believe that it happened in the last previous few
16 hours.

17 Q Previous few hours. Okay. Did you think anyone was in
18 danger at that address when you got dispatched?

19 A Did I think that anyone was in danger when I got
20 dispatched?

21 Q Yeah.

22 A Just the mom.

23 Q So, you thought she was in danger at that time shortly
24 after 9?

25 A I did, yeah.

1 Q Okay. And tell me all the reasons why you thought she
2 was in danger at that time.

3 A Well, typically people that aren't fearful of somebody
4 or of a situation won't leave to call 9-1-1; they do it
5 then and there. To, you know, obviously if my... My,
6 my view of it is if she wasn't in danger she wouldn't
7 have left, she would have felt comfortable staying
8 there, which clearly wasn't the case.

9 Q Did you hurry to get to that address?

10 A Did I hurry?

11 Q Yep.

12 A I, I drove straight to the address.

13 Q Did you hurry?

14 MS. RAGONESI: Object to the form.

15 A What is your definition of "hurry"?

16 Q Well, what's your definition of "hurry"?

17 A Like I said I drove, I drove straight to the address. I
18 don't know what, what speed I drove. I didn't drive --
19 I'm sure I didn't drive 35.

20 Q Okay. Well, let me ask you some questions about the
21 route. When you left the police station you started to
22 drive to that address you said something about asking
23 Google or asking somebody on the internet, asking some
24 computer service to help you plan a route; is that
25 right?

1 Q Well, how many years did you live in Snohomish County?
2 A How many years did I live there? Thirty-two on and off.
3 Q And how many years did you patrol Snohomish County?
4 A Almost ten.
5 Q Okay. And in all those years you don't have the ability
6 to say in general how far it was from the police station
7 to this house?
8 MS. RAGONESI: Object to form.
9 A I can tell you it wasn't right next door, but as far as
10 distance-wise, I, I couldn't tell you. It would be
11 purely speculative.
12 Q When you were driving toward this address, were you
13 expecting to find Kathy Duncan, the mother, at the house
14 when you got there?
15 A Was I expecting to find her there?
16 Q Yeah.
17 A Yeah, the last, the last update -- or an update we
18 received was that she was returning back to the house.
19 Q Okay. And how close were you to the house when you got
20 that update?
21 A I don't recall.
22 Q Was that an update you got within the last sixty seconds
23 of -- before knocking on the door or not?
24 A Again, I, I don't recall.
25 Q Was that an update that you got while driving?

1 violence didn't apply in this case, and I determined
2 that he needed to go to the hospital for a mental
3 evaluation then, then that would have been the course of
4 action. That's, that's not what happened.

5 Q Okay. I'm asking you about not that situation but the
6 flip. You just talked about if you determined that
7 there had been an assault. Right?

8 A I said if there had not been an assault.

9 Q I'm sorry, I misspoke. So -- But you also were talking
10 about a mandatory arrest law. So, my question was if
11 you had determined that there was an assault, are you
12 saying that means "we're not going to a hospital, I have
13 to do an arrest"?

14 A State law mandates --

15 Q -- So, that's a "yes;" is that a "yes"?

16 MS. RAGONESI: Counsel, please don't interrupt
17 the witness; he was trying to answer.

18 MR. LOBSENZ: Sorry. Go ahead.

19 A I'm saying state law dictates mandatory arrest in
20 certain situations, and unfortunately I don't have a
21 say. If, if the law dictates that's, that's the course
22 of action, then that's the course of action. If it does
23 not, then it's discretionary.

24 Q Okay. So, I'll ask again. Are you saying if you
25 determined that there was a domestic assault that meant

1 absolutely "we are not going to the hospital because we
2 must take him into custody and take him to jail"?

3 MS. RAGONESI: Object to the form of the
4 question.

5 A No. As I've just explained, there's two courses of
6 action. If it's a mandatory arrest, then that dictates
7 going to jail. If it's not a mandatory arrest
8 situation, discretionary, and if at that time
9 hypothetically there was no assault, and I determined
10 that it was not -- it did not fall under the purview of
11 the mandatory arrest laws in Washington state and that
12 he needed to go to a mental hospital at that point, then
13 that would have been the course of action. But that did
14 not happen.

15 Q So, tell me if I'm right. You're saying, "If I
16 determine that it was a mandatory arrest then we were
17 definitely not going to the hospital"?

18 MS. RAGONESI: Object to the form of the
19 question.

20 A Sorry, you said if it was?

21 Q If you determined that it was a mandatory arrest then
22 you were definitely not going to take him to a hospital;
23 correct?

24 MS. RAGONESI: Object to form.

25 A It depends. If it's a mandatory arrest situation and he

1 needs to go to the hospital first, then that would have
2 been the course of action.

3 Q Explain to me when there would be a mandatory arrest but
4 he would have to go to the hospital first.

5 A If I felt the need for him to be evaluated, for him or
6 her for one thing or the other, then first stop would be
7 the hospital for clearance to book. And then if he was
8 cleared to book or she was cleared to book, then we go,
9 then we go to jail. If not, then depending on what,
10 what the supervisor at the time says, if they get
11 admitted to the hospital we'd stay. If not, then we
12 figure out a different course of action.

13 Q Okay. So, go back to my question about whether the
14 mother could be of assistance to you. If you had
15 decided that "I'll exercise my discretion and take him
16 to the hospital," the mother could have been of
17 assistance to you in that; couldn't she?

18 MS. RAGONESI: Object to form.

19 A I'm sorry, what was the question?

20 Q If you had determined that you were going to take him to
21 the hospital, the mother could have been of assistance
22 to you in arranging that; correct?

23 MS. RAGONESI: Same objection.

24 A How so?

25 Q I'm asking you. Are you saying, no, you're not

1 the door?

2 A Yes.

3 Q Do you recall the door you didn't knock on doesn't have

4 any steps leading up to it?

5 A I don't recall.

6 Q Okay. Okay. While you, from the point you left your

7 car, your parked patrol vehicle, to the point the second

8 before you were gonna knock, did you hear the voices of

9 any people?

10 A I don't, I don't recall if I, if I did or didn't at that

11 point, to be honest with you.

12 Q If you had heard voices would you have put that in your

13 report?

14 MS. RAGONESI: Object to form.

15 A More than likely. If I could understand, you know, what

16 was saying or, like, an argument or something like that,

17 then that would have gone in there.

18 Q Okay. And just to be clear, I'm not referring just to

19 voices coming from inside the house you're about to

20 knock on. I'm saying any voices anywhere from any other

21 houses or not houses. Any voices at all that you can

22 remember hearing?

23 A Like if somebody was yelling for the dog-down-the-street

24 type of thing?

25 Q Yeah. Do you recall anything like that?

1 A No.

2 Q Okay. Do you recall hearing any dogs barking?

3 A No.

4 Q Do you recall hearing any sounds of any machines?

5 A Machines?

6 Q Yeah. Like -- I don't know -- anything from a leaf

7 blower to a T.V. to an air conditioner, anything?

8 A I don't recall any of those, no.

9 Q Okay. So, as far as you can recall when you walked from

10 your car to the house it was silent; is that right?

11 A I'm sure there was ancillary noise. I mean --

12 Q -- What --

13 A -- What's that?

14 Q Go ahead. Sorry.

15 A Ancillary, ancillary noises. I don't, I don't remember

16 being precisely silent, but I'm sure there's some

17 ambient noise in the background. What it was, I don't

18 know, but it wasn't silent.

19 Q Okay. Well, what noise do you remember?

20 A I just said I don't recall. Like I said, I'm assuming

21 that there was some ambient noise because we're pretty

22 rural, but I don't recall it just being silent.

23 Q Would you explain to me why the fact that it's pretty

24 rural makes you think there would be ambient noise?

25 A I mean, we were right off of Echo Lake Road, and, you

1 know, cars drive by there, and that would be considered
2 in my opinion ambient noise.

3 Q Does that have something to do with it being rural?

4 A With it being a rule?

5 Q Rural.

6 A No, just that there's, there's not, you know, five
7 hundred houses packed in right next to each other.

8 Q Okay. Now, a couple of times you told me, I think it
9 was not -- what the exact words were -- not super well
10 lit in the area of, in the area of the Duncan house;
11 right?

12 A I, I remember it not being, not being, yeah, super well
13 lit; it was kind of densely lit.

14 Q What do you mean by "densely lit"?

15 A Kind of like, well, like your office -- the -- it's
16 pretty dense. It's kind of hard to see. Like everyone
17 else is pretty well lit, so you can see everything in
18 the background.

19 Q Okay. I'm looking at myself on the tile on the Zoom
20 thing, and it's pretty hard to see my face; right?

21 A Right.

22 Q Okay. That happens to me because up unfortunately there
23 are these huge windows behind me and all of this light
24 coming in from the west, but... Is the level of light
25 on my face right now more or less, in your opinion, or

1 into it.

2 Q Okay. So, while you're standing -- I asked you about
3 noise before, but now you're -- While you're standing
4 right there outside the front door, at that point can
5 you hear any noise from inside the house?

6 A At that point I don't, I don't recall hearing noise
7 directly until I knock.

8 Q Okay. Do you recall hearing the sound of either a T.V.
9 or a radio or anything like that?

10 A I don't recall at this point.

11 Q Do you recall later when the door was opened being able
12 to hear any noise like a T.V. or a radio?

13 A A T.V. or radio, no, I don't recall.

14 Q So, as far as you can remember, inside the house it was
15 silent; true?

16 A I, I don't know that I would say it was silent, but I
17 don't, I don't recall hearing a T.V. or radio.

18 Q Okay. Well, what did you recall hearing?

19 A The conversation that I had with Mr. Dold.

20 Q Before you knocked, what do you recall hearing coming
21 from inside the house?

22 A I answered that. I don't recall there being a noise
23 that I can recall at this point.

24 Q Okay. At this point are you using any flashlight to
25 see? "This point" meaning you're about to knock.

1 A I don't recall.

2 Q Do you recall whether McCoy was using a flashlight to
3 see anything, shining it on anything?

4 A I don't, no.

5 Q Okay. So, I'm gonna focus on this moment right before
6 you're about to knock, like, you know, half a second
7 before you're about to knock. At that moment could you
8 tell me everything that you knew about the son.

9 A As far as what had been dispatched?

10 Q Tell me everything you knew about the son at that
11 moment, from any source at all.

12 A I mean, without, without referring to the CAD print out
13 or my report I can't give you a precise answer.

14 Q Okay. Well, give me the best answer that you can. Tell
15 me everything you can remember that you knew at that
16 moment.

17 A That he had assaulted his mother, that's why we got
18 dispatched to it. There was a description of him, what
19 he was wearing; I don't recall exactly what it was.
20 That he hadn't been on his medication. I don't recall
21 for the extent of the time that he had not. And again,
22 without, without having a CAD print off or my report
23 that's right now at the moment what I remember.

24 Q Okay. And you recall that you knew at that point that
25 he was mentally ill?

1 A I don't know if he was or not. That was what was --
2 that he had some kind of mental item going on. What it
3 was, I don't know.

4 Q Okay. And you recall that the mom wanted him taken to a
5 hospital?

6 A I recall something to that effect.

7 Q And you recall knowing that the mom thought he would
8 flee if he knew police were coming?

9 MS. RAGONESI: Object to form.

10 A Again, something to that effect. What, exactly what was
11 said, I don't, I don't know.

12 Q Okay. And you recall knowing that the mom left the
13 house to make a call, said she going to return, and you
14 knew she had returned?

15 A Now, what now? Sorry.

16 Q You knew at that moment -- right -- you'd been informed
17 that the mom had left the house to make the call, had
18 said she was going back to the house after the call, and
19 you knew that she was back at the house from the car?

20 MS. RAGONESI: Object to form.

21 A I, I didn't know if she was back at the house or not.
22 The last -- One of the updates that I got was that she
23 was going back.

24 Q Okay. Am I wrong? I thought you told me that you knew
25 by the time you got there she was back.

1 is that right?

2 A Again, I don't, I don't recall how, how far I could see
3 in the house or if I could or not. I don't, I don't
4 remember it being a wide open window where I could see
5 everything that was going on.

6 Q Okay. So, you have no memory of seeing any part of the
7 inside while you were standing outside; right?

8 A At this point I don't recall without, without
9 referencing my report of whether I did or not.

10 Q Okay. Now, while you're about to knock, tell me what
11 position McCoy is in.

12 A I don't know the exact position that he was in. I just,
13 -- I know that he was, he was behind me.

14 Q Okay. And that's all you know, just somewhere behind
15 you?

16 A Yeah. What his exact position was, I, I don't know.
17 You'd have to ask him. But I recall him being -- I
18 don't know if he was on the stairs with me or at the
19 bottom of the stairway; I don't know exactly where he
20 was in reference to me.

21 Q What's the last memory you have, if any, of what McCoy
22 was doing before you knocked?

23 A Of what McCoy was doing?

24 Q Yeah. Do you have any memory at all of what he was
25 doing before you knocked?

1 A I, I don't, I don't know what he was doing. He was, he
2 was behind me, so...

3 Q Okay. Do you remember if he was holding anything when
4 he was standing behind you?

5 A I, I don't recall if he was holding anything or not.

6 Q Do you remember before you knocked he had a gun in his
7 hand?

8 A I, I don't know that. because, again, he was behind me.

9 Q Is it your typical practice when backing up an officer
10 about to knock on a door to draw your gun?

11 MS. RAGONESI: Object to form.

12 A It depends on, on a number of things, and I don't know,
13 like I said, I mean -- a number of things factors into
14 that, and it's ultimately up to the officer that had
15 their weapon out.

16 Q My question is is it your typical practice that you do.

17 MS. RAGONESI: Object to form.

18 A Is it typical that we do?

19 Q Is it your typical practice, your typical practice to do
20 that when you're backing up an officer knocking on a
21 door?

22 A Like I said, it depends on the circumstances.

23 MR. LOBSENZ: Move to strike.

24 Q Is it your typical practice to do that? I'm not saying
25 for you to describe the circumstances when you do, when

1 A Again, I, I don't know. I wasn't, I wasn't the backup.
2 I was the primary.

3 Q You had no information one way or the other as to
4 whether he was armed or not; right?

5 A Again, I don't recall there being a conversation about
6 whether he was armed or not.

7 Q Did you have any information to indicate he was armed at
8 the moment you stood on that landing about to knock?

9 A One way or the other, no.

10 Q Did you have any information to indicate that an assault
11 was ongoing?

12 A That it was ongoing?

13 Q Yeah. That's your word. Did you have any information
14 to indicate at the moment that you were going to knock
15 that an assault was ongoing?

16 A I don't know. I wasn't inside.

17 Q That's not the question. Did you have any information
18 standing outside to indicate that an assault was
19 ongoing?

20 A It could have been. I don't know.

21 Q Did you have any information that it was. Not that it
22 could have been. Did you have any information as you
23 stood outside that it was ongoing?

24 A Again, I, I don't know whether or not it was or was not;
25 I was outside.

1 with, with lighting.

2 Q I see. Okay. So, if the time of the evening indicates
3 there's no daylight, does that make it more or less
4 appropriate in your mind to draw a gun before knocking?

5 A If it's -- Sorry, if it's nighttime?

6 Q Yep.

7 A I would say it's probably more appropriate because you
8 can see, see more obviously during the daytime than you
9 can when it's dark out.

10 Q Did you have anything in either of your hands when you
11 knocked?

12 A I don't recall. The only, the only thing I would have
13 had would have been a flashlight.

14 MR. LOBSENZ: Move to strike "the only thing I
15 would have had."

16 Q Do you recall whether you had anything in your hand?

17 MS. RAGONESI: Object to the motion to strike.

18 A Specifically what I had in my hands, if anything, I, I
19 don't know.

20 Q Okay. Okay. When you knocked, do you recall if you
21 said anything when you knocked?

22 A I announced that it was the police.

23 Q Okay. And tell me what you said.

24 A Something to the effect of "police."

25 Q Okay. Anything besides that, knocked and said "police"?

1 A I'm not exactly sure if, if I said anything else. I do
2 remember saying that, though.

3 Q Okay. Do you remember anything else that you said?

4 A I...

5 Q I'm sorry, did you answer?

6 A I said "sorry, no."

7 Q Okay. Okay. So, you knocked and said "it's the police"
8 or something like that. Was there any response to that?

9 A Somebody, a male voice said "who is it," or something to
10 that effect.

11 Q Okay. Besides that response by voice, did you hear
12 anything else from inside the house?

13 A I don't, I don't believe so, no.

14 Q Okay. Did you answer the question "who is it?"

15 A I did. Again said that it was a -- it was the police.

16 Q Did you say anything else the second time besides "it's
17 the police"?

18 A Something, something, I believe I said something to the
19 effect of "can you come to the door" or something like
20 that.

21 Q Okay. That remark about come to the door, do you
22 remember was it a request or an order?

23 A Was what?

24 Q Was it a request?

25 A Yeah, I was asking if they could come to the door.

1 Q Okay. And it was not an order. It was not "come to the
2 door." It was "would you" or "could you" or "can you"
3 or "will you"?

4 A I don't, I don't know exactly what was said. It was
5 something to the effect of "can you come to the door" or
6 "come to the door." I don't know exactly.

7 Q Could it have been an order?

8 A That would be speculative.

9 Q Okay. So, you don't know?

10 A What's that?

11 Q So, you don't know whether it was an order or not? It
12 would be speculative; right?

13 A For me to say that I ordered him to the door, that would
14 be --

15 Q -- For you to say -- That would be speculative?

16 A No, that would -- You asked for me to respond would be
17 speculative. I didn't order -- I don't remember
18 ordering "come to the door or you'll go to jail" or
19 something like that. That was not --

20 Q -- I'm not asking... Did you hear any noise from
21 inside? A movement?

22 A Briefly. After -- I don't recall if it was before or
23 after I knocked, I heard some movement and, yeah,
24 towards the door.

25 Q Okay. Can you describe the "some movement" you heard?

1 A Just the sound of someone moving towards the door.

2 Q Okay. Then what happened?

3 A Sorry?

4 Q Then what happened?

5 A There was -- I could see some, a person or a shadow

6 around the door, and when I, when I knocked again or

7 when I said that it was the police -- I don't know -- I

8 think that was...

9 Q How could you see, how could you see what was going on

10 on the other side of the door?

11 A I didn't say I saw. I saw a figure or shadow.

12 Q How could you see that figure or shadow?

13 A Because they popped up right in front of the door, the

14 window.

15 Q I thought before you said you couldn't see through the

16 window. Why could you see through the window now?

17 MS. RAGONESI: Object to the form of the

18 question. Misstates the prior testimony.

19 A Yeah, I mean if -- We can go back and read verbatim,

20 but, but what I said was not that. It was something to

21 the effect that I couldn't see straight into the door,

22 it was, it was pretty desolate. I couldn't see if there

23 was a curtain or not, but it was a figure or shadow that

24 approached the door.

25 Q Let me go back and ask for clarification. What did you

1 Q Okay. And then you walked back up the steps to the
2 landing?

3 A I believe so, yeah.

4 Q And in that intervening time of going down looking in
5 the window on the left and coming back up, is there any
6 more conversation?

7 A Just when, when I went back up to the, to the door.

8 Q Okay. Then you're back up at the door. Now what
9 happens?

10 A The door swung open fairly quickly, just a couple, a
11 couple feet. It wasn't, it wasn't open all the way.
12 Male, male stood in the doorway.

13 Q Okay. So, do you know what I mean by a circle has 360
14 degrees?

15 A I do.

16 Q Okay. So, if we -- If the door had swung open so far as
17 to hit the other wall, that would be 180 degrees. If it
18 had swung open to a right angle it would be 90 degrees.
19 What can you tell me about, you said -- how many degrees
20 roughly open this door is? Is it like a right angle?

21 A Honestly, I don't recall. It was only open a couple of
22 feet. It wasn't, it wasn't wide open and it wasn't
23 closed.

24 Q Okay. And this door opens into the house; right?

25 A I believe it did, yeah.

1 Q Okay. Did the door make any kind of noise as it was
2 opened?

3 A I'm not sure.

4 Q Do you remember the door making any kind of noise when
5 it opened?

6 A I don't recall, no.

7 Q Do you remember if he said anything when he opened the
8 door?

9 A I think he, again, said something, something to the
10 effect of "who is it."

11 Q Okay. And is he still standing inside his house when he
12 says that?

13 A Yeah, standing right kind of by the threshold.

14 Q When he opens the door, does he step back away from the
15 door, away from the outside?

16 A Did he step back away from what?

17 Q The outside. Did he step in the direction of further
18 inside the house as he opened the door?

19 A I don't recall.

20 Q When he's talking to you then and says "who is it,"
21 where is his head?

22 A His head was facing me.

23 Q Okay. Do you remember him doing anything with his head?

24 A At that point, no.

25 Q No. Do you remember doing anything after he opened the

1 door with his head?

2 A No.

3 Q Did he poke his head out?

4 A I, I don't know if he did or not. I don't recall if he

5 did or not.

6 Q Do you know what -- after he opened the door where his

7 hands were after he opened it?

8 A No.

9 Q Could you see his hands after he opened it?

10 A I would -- Again, without, without having my report, I

11 don't know.

12 Q Now, when he opens the door is the light -- is there any

13 light shining on his face?

14 A I don't recall at this point.

15 Q Is there any light behind him putting him in shadow?

16 A I don't know if -- I remember there being some ambient

17 light in the background. I -- inside the house. I

18 don't, I don't know where it was coming from, but it

19 was...

20 Q Okay. But it was behind him?

21 A I believe so, yes.

22 Q Okay. Now, you said he said something again along the

23 lines of "who is it" or "what do you want." So, you

24 respond to that?

25 A I -- Excuse me -- again told him that we were the police

1 and, and that his mom had called and, and that we were
2 there -- Without my report I don't know exactly what I
3 said, but it was something on, on those lines.

4 Q Okay. Did it cross your mind that telling him that you
5 were there because his mom called might make him try to
6 run away?

7 A Did it cross my mind that what?

8 Q That telling him that his mom had called the police
9 might make him try to run away.

10 A Did it cross my mind that he would do that?

11 Q Do you need the question again?

12 A I said I don't know if, if it crossed my mind or not. I
13 don't...

14 Q Okay. Okay. Besides saying "your mom called the
15 police," is there anything else you remember saying to
16 him at that point?

17 A Yeah, I asked him on the lines of if she was there.

18 Q Okay. And did he respond to your question if she was
19 there?

20 A He did. He said something to the effect of "she's
21 fine."

22 Q Okay. Did you take -- Did you interpret that as "yes,
23 she is there"?

24 A Yes.

25 Q Okay. And that's what you expected; right? You

1 expected that she was there; true?

2 A Like I said, the last, the last update that I got was

3 that she was heading back, so I did anticipate her being

4 there at some point, if not already.

5 Q So, when, when he said "she's fine," could you see her

6 at that point?

7 A I don't believe I could, no.

8 Q Okay. I'd like to ask you some questions about training

9 that you received from the Snohomish County Sheriff's

10 Office during your time there.

11 A Okay.

12 Q Had you received any training while -- from the

13 Sheriff's Office on how to deal with people who were

14 mentally ill?

15 A At some point, yes.

16 Q Okay. What do you recall being taught?

17 A I, I don't recall at this point what the training was.

18 Q Do you recall anything at all about the training?

19 A No. No, it was -- No, no, at this point.

20 Q Okay. That evening of March 21, 2017 as you were

21 driving out there, do you remember whether at that time

22 you were recalling any of your training for how to deal

23 with mentally ill people?

24 A If I was, if I was thinking about the training?

25 Q Yeah. Did you think about the training as you were

1 what?

2 Q At that point in time. Could you hear the other point?

3 The point in time is he said she's fine. Got that?

4 A Yeah.

5 Q At that point in time, had you seen or heard anything to

6 indicate to you that he was lying to you?

7 A At that -- No, just what was, what was in the call.

8 Q Okay. Well, what was in the call was not at that time.

9 So, at that time did you see anything to indicate he was

10 lying to you?

11 A At the moment that we were interacting?

12 Q Yep.

13 A I, I had to rely on what I had learned up to that point.

14 And after that, I couldn't tell you he was or not.

15 Q So, what are you telling me? That, yes, you had reason

16 to think he was lying to you at that point?

17 A I'm telling you I couldn't, couldn't answer that one way

18 or the other because all of the information that I have

19 up until that point is, is what I have.

20 Q At that point had you seen or heard anything to indicate

21 that Kathy Duncan was hurt?

22 A At that point not yet, no.

23 Q Okay. At that point had you seen or heard anything to

24 indicate that Kathy Duncan needed any kind of emergency

25 assistance?

1 A Other, other than --

2 MS. RAGONESI: -- Object to the form. Go
3 ahead.

4 A Other than she called 9-1-1 and reported that her son
5 assaulted her.

6 Q Uh-huh. And that was about thirty-two minutes earlier
7 or more; right?

8 A I don't know what the exact time frame was.

9 Q You don't know what the exact time frame was. But you
10 know perfectly well it was at least thirty minutes
11 earlier; right?

12 MS. RAGONESI: Object to the form.

13 A If, if that's what you're pulling off the CAD, then
14 sure, but I don't know.

15 Q Okay. So, when you get there, at that time are you
16 seeing or hearing anything to indicate that she's in
17 need of emergency assistance at that time when he says
18 "she's fine"?

19 A I hadn't seen her yet so I just, again, have to rely on
20 what was, what was, what was said when she called 9-1-1.

21 MR. LOBSENZ: Move to strike.

22 Q At that time that you're standing there in the door and
23 he says "she's fine" -- Forget about -- I'm not asking
24 about information you got before. Right now, right at
25 that moment, what had you seen or heard that indicated

1 she was in need of assistance at that moment?

2 MS. RAGONESI: Object to the motion to strike.

3 A So, I'll answer what I heard. And what I had heard was
4 the dispatcher advising that she called 9-1-1 to report
5 an assault.

6 Q And what had you heard standing there on the porch that
7 indicated she was in need of emergency assistance?

8 A From who? From her?

9 Q From you.

10 A I'm having difficulty understanding that question.

11 Q Well, I'll ask it again. At that time, standing there
12 on the porch, what had you heard or seen standing there
13 on the porch knocking and having that conversation that
14 indicated Kathy Duncan needed your emergency assistance
15 at that moment?

16 A Well, the moment then transpires into all the
17 information I have up until that point. And, again, the
18 information that I had that she had called 9-1-1 to
19 report that he had assaulted her, that plays a factor
20 into everything I have from the moment I got the call to
21 the moment that I left.

22 Q Okay. At that moment while you're -- because he says
23 she's fine, had you seen Alexander Dold do anything to
24 his mother?

25 A Had I seen him do anything?

1 Q Yes, that was the question.

2 A I did not see anything at that moment.

3 Q At that moment had you heard him say anything

4 threatening to his mother?

5 A I had only been there a very short amount of time, so I

6 didn't hear him communicate with his mom.

7 Q Okay. At that time had you heard his mother call out

8 for help at that time while you're out there at the

9 house knocking on the door?

10 A No. That was, that was later.

11 Q You later heard his mother asking for help?

12 A It was, it was the way that she said it and what she had

13 said I took it as needed assistance.

14 Q You took what? What did she say that you took as an ask

15 for help?

16 A So, when I was interacting with Mr. Dold at the door I

17 had asked her -- or excuse me -- I asked him where

18 Ms. Duncan was. He had, again, said that she was fine.

19 In the background at some point within a few seconds I

20 heard her faintly said "I'm here" or something to that

21 effect. And the way that she, the way that she said it

22 was fearful, afraid, scared. It made the hairs on the

23 back of my neck stand up, that she was not, that she was

24 not okay.

25 Q Are you done?

1 A Yes, sir.

2 Q Okay. Anything besides that you ever heard him saying
3 that made you think she needed your emergency
4 assistance?

5 A Other than when she called 9-1-1 and reported the
6 assault.

7 Q Anything that you ever heard her say. I'm not asking
8 about -- Anything else that you heard her say?

9 A Directly to me, no.

10 Q Anything that you heard her say to you, to the sky, to
11 Alexander, to McCoy, anything else you ever heard her
12 say that indicated she needed your emergency assistance?

13 A That, other than what I already stated, no.

14 Q Other than "I'm here"?

15 MS. RAGONESI: Object to form.

16 Q Right?

17 A Like I said, all of the other things that I described,
18 the way that she said it, fearful.

19 Q Okay.

20 A Those things.

21 Q Okay. Okay, now, can you see her when she says "I'm
22 here"?

23 A I don't believe I could see her at that point.

24 Q Okay. Could you see her somewhere, like, in the next
25 three or four seconds?

1 A I don't recall what the time frame was from what I can
2 remember.

3 Q Well, could you see her in the next thirty seconds?

4 A It -- What happened next happened very quickly, so I
5 don't, I don't know what the time frame was that I saw
6 her.

7 Q You don't know whether you saw her in the next thirty
8 seconds; you don't know?

9 MS. RAGONESI: Object to form.

10 A Again, I, I don't know from when he punched me in the
11 face to when I when I saw her I don't, I don't know. It
12 all happened very rapidly. I don't know the exact time.

13 Q Okay. After you hear her say "I'm here," then what
14 happened?

15 A I asked him if I could -- something to the effect of if
16 I could come in and talk to her. And he replied
17 something to the effect of "No, she's fine." I had
18 asked him what had happened. He said that they -- that
19 something along the lines of he owed her (SIC) \$20 and
20 he wanted his money, she wouldn't give it to him and
21 shoved her on the couch, and --

22 Q -- Let me stop, let me stop you there. Okay? While
23 this talking is going on is he still standing with his
24 head visible in the doorway?

25 A I believe so, but I'm not, not a hundred percent

1 certain. I have to have my report to be...

2 Q Okay. While he's having this conversation with you, can

3 you yet see Kathy Duncan?

4 A At that point, no.

5 Q Okay.

6 A I don't recall seeing her.

7 Q Okay. Okay. At the point where he said "she's fine,"

8 at that point in time had you made any decision yet as

9 to whether or not you were going to arrest him?

10 A At which point, because he said, he said that twice, I

11 believe?

12 Q Okay. The first time he said "she's fine," had you made

13 any decision that you were going to arrest him yet?

14 A No, at that point we were still investigating the

15 assault and --

16 Q -- How about the second, how about the second time he

17 said "she's fine," had you made any decision whether you

18 were going to arrest him yet?

19 A Had I made a decision to arrest him at that point?

20 Q Yeah, right, that's the question. The same question I

21 asked you a moment ago, but this is the second time he

22 said "she's fine." Had you made a decision yet to

23 arrest him?

24 A The determination that, that he was going to be arrested

25 made -- made was after he had advised me that he had

1 assaulted his mother. That's when I determined that he
2 was going to be arrested.

3 Q Okay. And he told you that he shoved her down on the
4 couch; correct?

5 A Correct, something to that effect.

6 Q Well, do you remember her telling -- him telling you
7 anything else about this assault?

8 A Again, I don't, I don't recall the exact, exact
9 verbiage, but it was something to the effect of he
10 shoved her on the couch to, to get it.

11 Q Yeah, my question is do you remember him saying anything
12 else about the assault besides that?

13 A No, besides that, I don't recall at this point without
14 my report in front of me.

15 Q Okay. Then when he told you that, you decided "I am
16 going to arrest him;" right?

17 A Yeah, he had admitted -- he had advised me that he did
18 assault his mother.

19 Q Okay. And at that point you were standing outside the
20 house; right?

21 A Right outside the door, yes.

22 Q Okay. And at that point he was standing inside the
23 house; right?

24 A He was in the, in the doorjamb, yeah.

25 Q Okay. And at that point you didn't have a warrant; did

1 you?

2 A That...

3 Q What?

4 A Can you repeat the question? Sorry.

5 Q At that point you did not have a warrant?

6 A A search warrant?

7 Q Any kind of warrant. You had no warrant at all; right?

8 A No, we did not have a warrant.

9 Q Okay. And at that point you decided you'd go into the

10 house anyway without a warrant?

11 A At that point?

12 MS. RAGONESI: Object to form.

13 Q Yeah.

14 A At that point, yes, I determined that he was, he was

15 under arrest and we were going to arrest him.

16 Q Okay. Did he make an effort to shut the door?

17 A He at some point shortly thereafter he did, yes.

18 Q Shortly thereafter saying "she's fine"?

19 A After he had told me that he had assaulted her, he --

20 the conversation was brief and I had asked to, to speak

21 with her, and, and that's when he started to kind of

22 shut the door.

23 Q So, between the time he said whatever these words were

24 to the effect of he shoved her and the time he started

25 to shut the door is a matter of just a few seconds; is

1 that correct?

2 A I don't, I don't know the exact time frame, but it
3 wasn't, it wasn't a long period of time, no.

4 Q I didn't ask for the exact time frame. Was it more or
5 less than five seconds?

6 MS. RAGONESI: Object to form.

7 A Again, I don't, I don't know the exact time frame.

8 Q No, I didn't ask that. Is it more or less than ten
9 seconds?

10 MS. RAGONESI: Object to form.

11 A Again, I don't, I don't recall the time frame.

12 Q Are you saying that you cannot answer because you don't
13 know whether it was more or less than ten seconds
14 between those two events?

15 A What I'm saying is I don't, I don't recall how much time
16 had, had lapsed.

17 Q That's not my question. Are you saying it's impossible
18 for you to tell me honestly whether it was more or less
19 than ten seconds?

20 MS. RAGONESI: Object to form.

21 A No. What I'm telling you is I don't recall, and I'm not
22 going to guess how much time elapsed because I don't
23 recall.

24 Q So, was it more or less than ten seconds?

25 MS. RAGONESI: Object to form.

1 A I, I don't recall.

2 Q Okay. Then he started to shut the door, at any rate?

3 A Yes, sir.

4 Q Okay. And then you put your foot inside the door to

5 block it?

6 A I put my foot on the door, yes.

7 Q You put it inside the house; right?

8 A I believe it was on, on the doorjamb.

9 Q Well, some part of that --

10 A -- On the bottom plate. Sorry.

11 Q Well, wasn't some part of it inside the house?

12 A I don't know if it was or was not.

13 Q Well, you put it so that he couldn't shut the door

14 without hitting your foot; right?

15 A That's correct.

16 Q Okay. So, did it hit your foot?

17 A Yeah, it did.

18 Q Okay. Then what happened?

19 A I advised him that he was under arrest.

20 Q Okay. And you pushed the door?

21 A After I advised him that he was under arrest, yes.

22 Q Okay. And you -- And he pushed back to try to still

23 shut it? Yes?

24 A There was, there was some, some movement back, yeah.

25 Q Some movement. Did he push back or not?

1 A He was applying pressure, so I'm assuming that he did.
2 I, I don't know what he was doing, but yes.

3 Q You couldn't, you couldn't see him pushing?

4 A I don't -- I just said I don't recall him pushing it,
5 but there was -- I do remember there was, there was
6 pressure coming back toward me. I'm assuming that he
7 was pushing back towards me.

8 Q Do you remember asking him if he'd step outside?

9 A At some point during the conversation I did ask that.

10 Q Why did you ask that?

11 A To separate the two of them because I had not seen
12 Ms. Duncan. She had, she had called 9-1-1. She was
13 fearful enough to leave, and typically when we're
14 investigating domestic violence assaults we want to
15 separate those involved so one's not influenced by the
16 other, then we get an accurate portrayal of what
17 happened and that -- We were there at that point
18 investigating her calling 9-1-1 alleging a domestic
19 violence assault on her as the victim. So, like I said,
20 at that point we're -- my goal is to get him outside to
21 get his, his side of the story and get another deputy
22 inside to get her side of the story.

23 Q Okay, if he steps outside then you wouldn't need a
24 warrant; would you?

25 A A warrant for what?

1 Q To arrest him. Once he steps outside you don't need a
2 warrant; right?

3 MS. RAGONESI: Object to form.

4 A Well, there's many reasons why you would need a warrant
5 and why you would not need a warrant.

6 Q Normally don't you need a warrant to go into somebody's
7 house when they say, "No, you can't come in"?

8 A It depends on the totality of the circumstances.

9 Q Normally don't you need a warrant when you want to go
10 into the house and he says no you can't go in, normally?

11 A Again, it depends on, on what you're there for and if
12 there's any, any exigencies to, to not get a warrant.

13 Q All right. The question is normally, and you've
14 referred to exigencies. If there are exigent
15 circumstances you don't need a warrant; right?

16 A On, on certain ones, yes.

17 Q If there aren't exigencies you need a warrant to go into
18 somebody's house when they say no; right?

19 MS. RAGONESI: Object to form.

20 A In, in most cases you would, yes.

21 Q Okay. So, if he had stepped outside, you wouldn't need
22 a warrant and you wouldn't need exigent circumstances;
23 right?

24 MS. RAGONESI: Object to form.

25 A In that instance I had an exigency so I didn't need one.

1 But to answer your question, no, I wouldn't have needed
2 one anyways if he had stepped out.

3 Q What was your exigency?

4 A Again, Ms. Duncan being in there. I don't know the
5 level of the assault. She called 9-1-1. She was
6 fearful enough to call 9-1-1 to advise us that she had
7 been assaulted by, by her son. When I did hear from
8 her, the, the way that she portrayed "I'm fine" led me
9 to believe that she was not okay. And if I had left,
10 given what she had described of her son, that an assault
11 would have, would have continued, my, my, my overall
12 synopsis was that if I had left that, that she was in
13 danger. Like I said, her, her response to me led me to
14 believe that she was not okay and that she feared for
15 her safety and, and, no.

16 Q Are you done?

17 A Yes, sir.

18 Q Anything else? Anything else that led you to think that
19 there was an exigency that you haven't already
20 mentioned?

21 A Again, just the demeanor in her voice.

22 Q I said anything else.

23 A No, that was something else but...

24 Q Okay. Then tell me everything else, anything else.

25 A Other than what I've stated already, we're good there.

1 Q Well, I thought you just said there was something else.
2 Anything else?

3 MS. RAGONESI: Object to the form of the
4 question. That's misstating what he said.

5 A No, what I said was that her -- the demeanor in her
6 voice not something I had said.

7 Q Okay. At this point now is there anything that you
8 haven't already told me that made you think there was an
9 exigency?

10 A Again, without, without having my report in front of me,
11 I don't know.

12 Q Okay. So, when you got inside the house, did -- at any
13 point when you were inside the house, did you see
14 whether Kathy Duncan had anything in her hands?

15 A I don't recall. I believe she was on the phone. I
16 don't know if she had it in her hand or not.

17 Q Do you recall hearing her talking on a phone?

18 A I remember her speaking, speaking in a phone. I don't,
19 I don't recall exactly what she was saying or who she
20 was talking to.

21 Q You don't recall seeing her holding the phone that she
22 was talking into?

23 A I, I don't recall that, no.

24 Q Okay. How about in the bedroom when there was a
25 struggle in the bedroom, you don't recall her holding a

1 cell phone?

2 A I was a little busy in the bedroom. I don't, I don't
3 recall what she had in her hand at that point, no.

4 Q Do you recall because when you told her to go back into
5 the house when you're struggling on the steps, then do
6 you recall seeing her holding the phone?

7 A When he punched me in the face or after that?

8 Q No. Go into the bedroom, out of the bedroom, out onto
9 the back steps. Then is there not a point when you told
10 her to go back into the house?

11 MS. RAGONESI: Object to form.

12 A Without my report, I'm not sure.

13 Q You don't know?

14 A Yeah, without my report I'm not, I'm not a hundred
15 percent sure.

16 Q Without your report do you know anything at all about
17 whether you spoke to her while you were outside the
18 house?

19 A No, just specifically what you, what you just asked, I'm
20 not certain if I asked her.

21 Q Tell me all the conversation you can remember without
22 looking at your report after he had dragged you out of
23 the house and you were on the steps.

24 A After he dragged me out?

25 Q Tell me everything you can remember, without looking at

1 your report, about conversation with Kathy Duncan after.

2 A I don't recall when the conversations I had with her --

3 Q -- So, without your report you recall nothing; is that
4 right?

5 MS. RAGONESI: Object to the form of the
6 question.

7 A That's, that's not what I said.

8 Q Then tell me what you do recall, without your report.

9 A I said I don't, I don't recall the conversations, if I
10 had any or not with her. That's what...

11 Q Okay. Other than the fact that her voice was quiet when
12 she said "I'm here," tell me what else about her voice
13 made it sound like she was scared or in danger.

14 MS. RAGONESI: Object to the form of the
15 question.

16 A Other than what I, what I said previously?

17 Q Well, I understood you said previously it was quiet.
18 I'm asking you is there anything else besides it was
19 quiet about her voice that made you think that.

20 MS. RAGONESI: Object to the form.

21 A I... As I said previously I said that it was quiet, it
22 was a little shaky, and just the way -- I've been doing
23 this a very long time, I've talked with tens of
24 thousands of people, and I can pick up on when, when
25 people are in -- speaking in distress and fear, and

1 that's, that's what I picked up at that point.

2 Q Okay. So, quiet and shaky. Anything else about her
3 voice?

4 A Again, based, based on my thousands of contacts with --

5 Q -- Not asking, not asking about your experience. Listen
6 to the question. Anything else about her voice besides
7 it was quiet and shaky?

8 MS. RAGONESI: Object to the form of the
9 question.

10 A Again, everything that I'm, that I'm describing goes
11 into the totality of why --

12 Q -- Not my question. I'm not asking about the totality.
13 I'm asking solely about her voice. Anything about her
14 voice besides it was quiet and shaky. That's an easy
15 question. Voice. Anything else about her voice?

16 MS. RAGONESI: Object to form.

17 A Again, it's not an easy question because a lot of, a lot
18 of factors moved into why I made the determination of
19 what I did of her voice.

20 MR. LOBSENZ: Okay. Move to strike.

21 Q I'm not asking about why you made the determination.
22 I'm not asking about your determination. I'm not asking
23 about your thinking. I'm asking what else about her
24 voice did you hear besides it was quiet and shaky.

25 MS. RAGONESI: Object to the motion to strike

1 and object to the form.

2 A Again, there's, there's a number of things. The way
3 that she said what she said, the way that I received it.

4 MR. LOBSENZ: Do you want to... Counsel, do
5 you think there's any point in taking a recess and
6 having a talk to Mr. McGee about answering the question?

7 MS. RAGONESI: I think he's answering the
8 questions, Counsel. I think you're asking poor
9 questions, and you're asking the same question again and
10 again. And you're trying to improperly restrict his
11 answers.

12 MR. LOBSENZ: Okay. Well, I'll ask it again,
13 and I'm not restricting anything that has to do with her
14 voice; that's my question.

15 Q Anything besides her voice you noted besides it was
16 quiet and shaky?

17 A Anything besides her voice would qualify what I had
18 already answered about the factors that I have numerous
19 contacts and thousands of contacts I have with people in
20 distress and people with fear, and that all factored
21 into why I made that determination from her voice.

22 MR. LOBSENZ: I reserve the right to ask
23 Judge Jones to order Mr. McGee to have further
24 deposition so I get actual answers.

25 Q Okay. You were successful pushing your way in; is that

1 correct?

2 MS. RAGONESI: Object to the form of the
3 question.

4 A We, I did make entry into the house; correct.

5 Q What happened to him when you stepped inside?

6 A Before I could step inside he, he punched me in the
7 face.

8 Q Before you stepped inside?

9 A So, I think it happened as I was stepping in or right
10 about then.

11 Q It happened as you were stepping in?

12 A At some point, either prior -- right as I was stepping
13 in or at that point in the threshold of the door, at
14 some point I was struck in the face.

15 Q As you step in, do you remember him stepping back?

16 A Again, without my report, I'm not a hundred percent
17 certain what, what his, his actions were at that point
18 other than him striking me in the face.

19 Q You don't remember him -- Do you remember him, without
20 your report, do you remember him stepping back before
21 there was any punch in the face?

22 A Again, without my report, I don't know exactly what
23 transpired.

24 Q You remember that after you stepped in you continued to
25 walk towards him after he stepped back?

1 MS. RAGONESI: Object to form.

2 A I don't know. I would have to pull up my report and
3 review that.

4 Q Let me read you this: "I eventually shoved it open. He
5 kind of stepped back, and I walked in and started
6 walking towards him." Is that what happened?

7 A What are you reading that from?

8 Q Your tape recorded statement. Let me read it again. "I
9 eventually shoved it open. He kind of stepped back,
10 and, uh, I walked in and started walking towards him."
11 Is that what happened?

12 MS. RAGONESI: Object to form.

13 A Without whatever you're reading in front of me, I don't
14 know if that was, if that's accurate or not but...

15 Q When he would not come out and started to shut the door
16 -- Well, at any point, at any point prior to this, your
17 getting inside the house, did you consider whether or
18 not you could just ask Kathy to come out of the house or
19 not?

20 A You cut out again. Ask Kathy for what?

21 Q Did you consider asking Kathy to come out of the house?

22 A I don't, I don't recall if I asked that or not. I don't
23 believe I did.

24 Q Why not?

25 A Why not?

1 A The ones that look significantly younger.

2 Q Yeah, well, can you show me that? Maybe you can hold it

3 up. We can mark it. I want to identify --

4 A -- The, the first set of photographs that are numbered

5 256 at the bottom right of the page.

6 Q I see, the page that has D-O-L-D dash B-L dash triple

7 zero 256?

8 A Yep.

9 Q Okay. There's six photographs on that page, and none of

10 those are you; right?

11 A The first two and Number 3 are me.

12 Q The first two and Number 3 are you.

13 (Exhibit Number 10 marked.)

14 Q Okay. So now, on that page, which each photograph has a

15 .jpg?

16 A Yeah.

17 Q The first one in the upper left is 2511.jpg?

18 A That one is of me, yes.

19 Q Okay. That one is of you.

20 A Correct.

21 Q The next one is 2512.jpg. That one is of you?

22 A Yes.

23 Q The next one is 2513. That one is of you?

24 A Yes.

25 Q Okay. The next one is 2514. That's not you; right?

1 front of you?

2 A Yeah, if they, if they were looking for it.

3 Q From the time that you, when you first opened the door
4 to the time that he punched you, did you ever see
5 anything in Alexander Dold's hands.

6 A Ever see anything in his hands?

7 Q Yeah, between those two time periods.

8 A Just a, just a fist.

9 Q Okay. So, nothing in his hands; right?

10 A I don't recall there being anything in his hands, no.

11 Q Okay. How about the entire evening, did you ever that
12 evening ever see him holding anything in his hand?

13 A He grabbed, he grabbed my gun with his hand a few times.

14 Q Okay. Other than that did you ever see him holding
15 anything in his hands?

16 A Just, just him grabbing my gun.

17 Q Other than that, did you ever see him holding anything
18 in his hands?

19 MS. RAGONESI: Object to the form.

20 A Just that, no.

21 MR. LOBSENZ: Okay, this might be a good spot
22 to take a break.

23 (Recess in proceedings 1:32 p.m. to 2:05 p.m.)

24 (Mr. Buck did not return.)

25 (Ms. DiGiovanni arrived.)

1 Q Okay. After this punch, did Mr. Alexander Dold stay in
2 the room where, where this punch happened?

3 A Did he stay in the room?

4 Q Yeah.

5 A No; he turned around and made a run for a back bedroom.

6 Q Okay. And are you saying he actually ran? He didn't
7 walk fast, he ran?

8 A Yeah, that's what I said.

9 Q Okay. And when he was running to the back bedroom, do
10 you know where McCoy was now?

11 A I believe he was right behind me, but not a hundred
12 percent certain.

13 Q So, when Dold ran for the bedroom, McCoy was by this
14 point inside the house; is that right?

15 A When, when he made a -- Excuse me. When he started
16 going towards that back bedroom, I, I went after him and
17 Cody, Cody followed suit.

18 Q Okay. Is this when Cody entered the house? Tell you
19 what, I'll ask it this way: Did Cody McCoy enter the
20 house before or after the punch or do you know?

21 A It would have been after.

22 Q Okay.

23 A He was behind me.

24 Q Okay. Did you see him, McCoy, do anything after he
25 entered the house?

1 A Like initially after he assaulted me or in the bedroom
2 or --

3 Q -- Did you hit him back after he punched you?

4 A After he assaulted me, right then and there I don't, I
5 don't recall if I did or not.

6 Q Okay. After he hit you, did you get your taser out?

7 A After he assaulted me in the bedroom, later on, the --
8 my taser was produced, yes.

9 Q So, you didn't take your taser out until you got in the
10 bedroom?

11 A I'm not a hundred percent sure. I'm not a hundred
12 percent sure, but I don't believe it came out until the
13 bedroom, but I would have to refer to my report to be a
14 hundred percent accurate.

15 Q Okay. So, do you remember whether you lost sight of him
16 for any period of time when he ran from the room where
17 the punch was, to the bedroom?

18 A I think if my memory suits me just, just for a brief
19 second when he went, when he first got into the bedroom.

20 Q Was that a yes, you lost sight of him for a period of
21 time?

22 A Yeah, I said, if my memory suits me correctly, I believe
23 I did lose him for a split second as he entered the
24 bedroom.

25 Q Okay. Then when you entered-- Step back. To enter the

1 bedroom you go through a doorway; is that right?

2 A Yes.

3 Q Was there a door on the doorway or not?

4 A Not certain. I believe there was, but I'm not a hundred

5 percent sure.

6 Q Do you remember having anybody opening a door to this

7 bedroom?

8 A I don't recall at this point.

9 Q Okay. When you got into the bedroom and first you lost

10 sight of him for a split second, when you regain sight

11 of him where was Mr. Dold?

12 A I believe at that point he was, he was on the bed.

13 Q And would you describe his position for me "on the bed"?

14 A He was on his back with his hands and legs in a, in a

15 fighting position.

16 Q Okay. What do you mean by "in a fighting position"?

17 A His legs were, legs were kicked out and in the kind of a

18 the -- at an angle. And his, his fists were up ready to

19 go.

20 Q Okay. You say his legs were at an angle. Were either

21 of his legs lifted off the bed?

22 A I believe both of them were.

23 Q Okay. Were either of his legs pointed at a right angle

24 up in the air?

25 A They were basically -- Like, if this was -- I don't know

1 if that's very good -- but that would be his, his shin
2 and his foot were pointed out -- his feet were pointed
3 out to the me like he was ready to kick.

4 Q Okay. And -- Well, I believe what Dep. McCoy -- I used
5 the phrase -- referred to a position of like a turtle on
6 its back. Maybe you were listening then; were you?

7 A I was there for his deposition. I don't recall what was
8 said.

9 Q Are you familiar with the position a turtle has when
10 it's lying on its back on its shell?

11 A A turtle?

12 Q A turtle.

13 A Yeah, yeah.

14 Q I don't know, when I was a kid I caught turtles. If you
15 put them on their back they couldn't get -- right
16 themselves, and they had four appendages or legs kind of
17 waving around. Is that the position you're describing?

18 MS. RAGONESI: Object to form.

19 A Well, when you, when you think of a turtle on its back
20 you think of a nice, sweet animal. He was, he was in a
21 fighter's position ready, ready to fight.

22 Q What's a fighter's position?

23 A What's that?

24 Q What's a fighter's position?

25 A In a ground fighting position. If you go to the ground

1 that's the position that you take to try to --

2 Q -- What is it? Describe it.

3 A I can do it again. He was on his back. His fists were

4 like this if he's on his back, and his legs were up off

5 the bed.

6 Q Okay. I know it's being filmed, but you say "up like

7 this." Can you use words to describe where you're

8 putting your fists when you say "up like this"?

9 MS. RAGONESI: For the record, I don't know if

10 you realize it, but you're cutting the witness off quite

11 a bit but.

12 MR. LOBSENZ: I'll slow down.

13 MS. RAGONESI: If you let him finish and ask

14 for clarification, that would be great.

15 MR. LOBSENZ: I will.

16 A His fists were in what I would refer to as the guard

17 position.

18 Q Okay. You're holding your, right now holding your fists

19 up almost to the level of sort of your chin; is that

20 about right?

21 A It, you know, it would be up in this fashion.

22 Q Is that up around your chin?

23 A Yeah.

24 Q Okay. So, he's on his back. Fists in that position,

25 legs also up in the air. Anything in those hands?

1 A You cut out. If he hadn't what?

2 Q Stays on his back. What you're telling me even if he
3 stayed on his back and if he just extended his leg he
4 could have kicked you from where you were?

5 A Yes.

6 Q Okay. Could he have hit you with his hands from where
7 he was lying on his back on the bed?

8 A If he was, if he was lying on what?

9 Q He's lying on the bed. From where he was lying on the
10 bed with his hands in that position you showed me, could
11 he have hit you with his hands, if you didn't move and
12 he didn't move from those positions?

13 MS. RAGONESI: Object to the form.

14 A Like I said, it would have been with his feet not his
15 hands.

16 Q Okay. All right. So, did you get closer to him than
17 that couple of feet?

18 A I did, yes.

19 Q Why?

20 A To arrest him.

21 Q Okay. So, you put yourself in greater danger by getting
22 closer; true?

23 MS. RAGONESI: Object to form.

24 A I put myself in greater what?

25 Q Danger by getting closer.

1 MS. RAGONESI: Object to form.

2 Q Didn't you?

3 A I did what was, what was required of me which was

4 attempt to apprehend a suspect that I had a probable

5 cause to arrest.

6 Q So, you moved within reach of his fists, no?

7 A I moved in to arrest him, correct.

8 Q Okay. And when you moved in to within reach of his

9 fists did he hit you again?

10 A The whole, the whole time he was flailing, you know,

11 swinging his arms and kicking his feet. I believe he

12 made contact with me a few times in that.

13 Q With what part of you did he make contact with?

14 A I, I'm -- At this point, without my report in front of

15 me, I'm not a hundred percent certain.

16 Q Okay. Did you use your taser then?

17 A I don't know if it was then or -- I believe Cody, Cody

18 did his first, but I'm not a hundred percent certain.

19 Q When you said Cody did his --

20 A -- Used his taser first.

21 Q Did he use it in the dart mode?

22 A I'm not certain.

23 Q You're not certain whether it was dart or stun mode that

24 he used it in?

25 A I'm not certain, but I'm, I'm assuming it was more than

1 likely dart mode.

2 Q Okay. Do you know whether any darts hit Mr. Dold?

3 A At that point I'm not a hundred percent certain.

4 Q Did you ever see any darts that had hit Mr. Dold?

5 A I believe I saw -- when I used, when I applied my taser

6 that, with the amount of moving around that he was

7 doing, that one, it appeared that I had, I had a good,

8 good connectivity at one point and -- with the -- I saw

9 one taser -- I -- in one of his forearms, I believe it

10 was his forearm, at some point. And I think it fell out

11 at some point during the struggle.

12 Q Let's see if I understand. You saw one dart in his

13 forearm at some point during the struggle?

14 A Yeah, in the bedroom. I'm not certain at what point I

15 saw that.

16 Q In the bedroom. Okay.

17 A I believe it was.

18 Q And you do or don't know whether that was from your

19 taser or Cody McCoy's taser?

20 A I'm not certain at this point.

21 Q Okay. And you said it -- You said "when I used my

22 taser." When you first used your taser did you first

23 use it in dart mode or stun mode?

24 A I'm not a hundred percent certain at this point.

25 Q Okay. When you went to, to arrest him when he was

1 remember her saying that night, if anything?

2 A Again, it's -- I don't, I don't recall -- I didn't have
3 direct interaction with her at that point.

4 Q Not at that point. Any time that night do you remember
5 her saying anything else?

6 A Again, without, without my report in front of me, I'm
7 not certain.

8 Q While you were struggling in the bedroom with Mr. Dold,
9 did you try to talk to Mr. Dold?

10 A Did I try to talk to him?

11 Q Yep.

12 A In between him hitting and kicking me I asked him -- I
13 told him to stop fighting and stop resisting.

14 Q Okay. Anything else you said to him besides stop
15 fighting and stop resisting?

16 A Like did I -- Are you asking if I called for a time out?

17 Q No. I'm asking if you recall saying anything else to
18 him besides stop fighting and stop resisting.

19 A Well, he was, he was busy assaulting me, and I was
20 trying to, trying to arrest him, so the communication
21 wasn't really, wasn't really there.

22 Q Not my question. Do you remember saying anything else
23 to him?

24 MS. RAGONESI: Object to form.

25 A That's a different question than you asked before. So

1 A Exact time frame I, I couldn't venture to guess. It
2 wasn't very long.

3 Q What does that mean, not very long?

4 A It wasn't ten minutes.

5 Q Okay. Was it a minute?

6 A I, I don't know.

7 Q Okay. Did the struggle continue somewhere else not on
8 the bed?

9 A It -- We ended up on the floor next to the bed for, for
10 a brief minute and then, and then out towards the porch.

11 Q Okay. Do you know how you ended up on the floor?

12 A Again, without, without my report directly in front of
13 me, I, at this point I don't know, no.

14 Q Well, did he go to the floor on his own?

15 A Again, at this point it's been over four years, I, I
16 don't know.

17 Q Did you throw him to the floor?

18 A I don't recall throwing him to the floor. I don't
19 recall how he ended up on the floor. Again, it's been,
20 it's been over, over four years. I'm not certain.

21 Q When he ended up on the floor, did he end up face up,
22 face down, or on his side?

23 A I'm not sure at this point.

24 Q Did you get on top of him when he was on the floor?

25 A I, I'm not sure.

1 A I, I don't know, because, like I said, it's a different
2 incident and different, different forms are filled out.

3 Q Doesn't the Snohomish County Sheriff's Office require a
4 Use of Force Report to be filled out every time there's
5 an use of force?

6 MS. RAGONESI: Object to form.

7 A I, I don't know what, what the policy is for, for the
8 Sheriff's Office. I haven't worked there in several
9 years.

10 Q Was there ever a time when you were asked to fill out a
11 Use of Force Report while working for Snohomish County
12 and you refused?

13 A Not that I recall.

14 Q Was there ever a time when you were asked to fill out a
15 Use of Force Report and you were excused from having to
16 do it?

17 A Not that I recall.

18 Q What happened from the floor? Did Mr. Dold get up from
19 the floor in the bedroom?

20 A At some point he did, yes.

21 Q When he got up was he still in physical contact with
22 either you or McCoy?

23 A I don't recall if he was physically whether we were
24 engaged with him at that point or not. But he did, he
25 did get to his feet.

1 Q Well, where were you when he got to his feet?

2 A My exact placement, I don't recall. I... I was right
3 behind him I believe but I'm not certain.

4 Q I couldn't hear the words before something, something
5 right behind him.

6 A I said I believe.

7 Q Okay. You believe you were right behind him when he got
8 up?

9 A I believe so, but, again, without my report, I'm not a
10 hundred percent accurate.

11 Q Then what happened from that position?

12 A From that position he, he tried to go back, run back out
13 towards the room where, where Ms. Dold was.

14 Q Okay. And when he did that what did you do?

15 A I immediately gave -- pursued him.

16 Q Well, were you in physical contact with him when you
17 pursued him?

18 A I don't know how, how quickly I reengaged him, but at
19 some point I did, I did attempt to apply a LVNR on him
20 at that point.

21 Q Attempt. Why didn't you say that as if you weren't
22 successful? Were you successful?

23 A He dragged me all the way through the room or through
24 that entire room, so at that point, no, I was not.

25 Q Okay. Which room are we talking about that he dragged

1 you through, the entire room, the bedroom or the next
2 room?

3 A The next room. It was, again, it was the initial room
4 where we first met him. I'm not certain what room it
5 was.

6 Q Okay. While he was dragging you, wasn't your arm around
7 his neck?

8 A I was attempting to apply the LVNR, yes.

9 Q Okay. And that was your left arm?

10 A I wanted to say it was my right arm. But, again, I have
11 to have my report in front of me to be accurate.

12 Q Okay. And are you applying pressure to his neck while
13 he's dragging you out of the room?

14 A I am trying to apply the LVNR at that point, yeah.

15 Q I didn't ask exactly that. I said, "Are you applying
16 pressure to his neck while he's dragging you out of the
17 room?"

18 MS. RAGONESI: Object to form.

19 A I'm assuming so, but, again, without my, without my
20 report, I can't be a hundred percent accurate.

21 Q So, explain to me why this is just -- you're describing
22 it as an attempt to apply the LVNR and not as "I'm
23 applying the LVNR"?

24 A Because it was a very dynamic situation. He was, he was
25 still moving. I was being dragged behind him. And it

1 was, it was -- I was attempting to, to apply it. It
2 wasn't successful for the first little while, yeah.

3 Q Well, when you say "I was attempting to apply," was your
4 arm in the right position?

5 A Again, without my report, I can't be a hundred percent
6 certain. But I would say that it, that it was in
7 accordance with the training that I received at the
8 time.

9 Q Well, then tell me what the training was that you
10 received at the time.

11 A I already answered that I don't know what.

12 Q Well, if you don't know what it was, how can you tell me
13 that it was in accordance with your training.

14 MS. RAGONESI: Object to the form.

15 A Whenever I applied any, any use of force, I, I always
16 tried to accurately do it in accordance with the
17 training that I had received and been taught.

18 Q Okay. So, do you remain in -- I'm going to call it the
19 living room. I don't know what else to call it -- but
20 the first room? He drags you into that first room. Do
21 you remain in that first room?

22 A No; we made -- he made his way back to, back to the
23 door.

24 Q We're now talking about back to the front door of the
25 house?

1 A I'm not certain if it was the front -- It was the door
2 that we came in.

3 Q Okay. And when he got there, you're still attached to
4 his back?

5 A He's still dragging me, yes.

6 Q And you're still trying to render him unconscious with
7 the restraint?

8 A Again, without my report, I can't be a hundred percent
9 certain, but I believe so, yes.

10 Q Do you remember any time when Dep. McCoy suggested you
11 use this restraint?

12 A I, I do not recall that, no.

13 Q Do you remember Dep. McCoy saying, "We have to make him
14 unconscious"?

15 A I don't recall that, no.

16 Q Did McCoy suggest that you make him unconscious?

17 MS. RAGONESI: Object to form.

18 A I just answered the same question twi-- I don't know
19 what, what he said or suggested.

20 Q Did you -- You were trying to render him unconscious;
21 weren't you?

22 MS. RAGONESI: Object to form.

23 A I was trying to control him so we could arrest him.

24 Q Okay. What about, were you trying to render him
25 unconscious?

1 MS. RAGONESI: Object to form.

2 A I was -- Sorry. Yes, I was, I was trying to control him
3 to arrest him.

4 Q That wasn't the question. See, I asked were you trying
5 to render him unconscious, and you said "I was trying to
6 arrest him." So, I'll ask again. Were you trying to
7 render him unconscious?

8 MS. RAGONESI: Object to the form of the
9 question.

10 A What I, what I actually said was I was trying to control
11 him and arrest him. And I, yes, the ultimate goal was
12 to render him unconscious.

13 Q Okay. At this point did you think that if you didn't
14 render him unconscious he would harm his mother?

15 A My, my main concern was, yes, the mother. I, I don't
16 know -- I still haven't observed any injuries on her; I
17 haven't seen her. I don't know if she's -- I don't know
18 what her status is at that point. I don't know if he's
19 trying to make his way to her. He'd already assaulted
20 me. He'd already assaulted pretty much everybody in the
21 house at that point.

22 Q Let's stop there. He'd assaulted -- You were dragged
23 into this first room you went into. Now do you see
24 Kathy Duncan as you're being dragged?

25 A Again, without my report, I can't be a hundred percent

1 Q Do you recall hearing any officer that night ever say,
2 "I could shoot you"?
3 A I don't, I don't recall at this point.
4 Q Okay. We got -- I think you said he was headed towards
5 the same door you came in; right?
6 A Towards the first door, yes.
7 Q Okay. Did he go through the door?
8 A I think, I think at that point, again, without my report
9 in front of me I can't be a hundred percent certain, but
10 I think at that point he kind of fell to the ground or
11 tumbled, and to me, I at that point I thought as though
12 he may have lost consciousness. And I attempted
13 restraint.
14 Q Okay. The question was did he go through the door.
15 You're saying he fell. Did you say "through" or "to the
16 ground"?
17 A I don't recall exactly what I said. But I don't know if
18 he landed -- I think he landed or we landed because I
19 was in tow. I think that's where we landed on, on the
20 landing of the porch.
21 Q Okay. Well, what I'm trying to -- You help me out here
22 if you can. When he fell onto the landing, are you
23 still attached to his back?
24 A I believe I went down with him and, and kind of slipped
25 on, on the, on the landing of the porch.

1 Q Well, what I'm asking is are you still applying this
2 lateral vascular neck restraint as you fall with him?

3 A As, as we fall, I had -- I can't recall at this point
4 with, what my actions were.

5 Q Okay. And at what point were you thinking he might have
6 lost unconsciousness? It's while falling or after he
7 fell?

8 A Again, without my report, I can't be a hundred percent
9 accurate. I want to say it was when we landed on, on
10 the ground, I kind of I think I slipped on, on the
11 porch. And at some point Cody McCoy was attempting to,
12 to restrain his -- him in handcuffs.

13 Q Well, I was asking you about when he went unconscious.
14 You told me that at some point you thought he might be
15 unconscious. I'm asking you at what point that is.

16 A And I said I, I don't know. I was on the ground and
17 what I was trying to do, trying to detain him at that
18 point.

19 Q What made you think he might be unconscious?

20 A He momentarily stopped fighting.

21 Q He went limp?

22 MS. RAGONESI: Object to the form of the
23 question.

24 A I was going to ask what the question was again.

25 Q Did he go limp?

1 MS. RAGONESI: Same objection.

2 A I don't know at this point. I don't recall. All I know

3 is he stopped, he stopped fighting momentarily.

4 Q Do you recall reading a few days ago when you read your

5 tape recorded statement that you said he felt like he

6 went limp?

7 A I don't recall.

8 Q Okay. Have you fired your weapon while in the course of

9 duty? I don't mean at a target practice or something,

10 but I mean while on duty while encountering people?

11 A With an animal.

12 Q You killed a dog at some point; is that right?

13 A I shot a dog, yes.

14 Q And it died; right?

15 A It did.

16 Q And there was some complaint about that?

17 A There was.

18 Q And what were you investigating at that time?

19 A That was a long, long time ago. I don't know if I'm

20 accurate or not. I think I'd gone to the house to do a

21 notification of death.

22 Q Is that -- What does that mean "a notification of

23 death"? To do what?

24 A Just notifying somebody that somebody had passed away.

25 Q And who were you notifying?

1 Q Okay. You want to give it again? You recall that you
2 said when he fell to the floor that you felt him go
3 limp?

4 MS. RAGONESI: Object to the form.

5 A I would defer to my previous answer because, again, at
6 this point without my report in front of me I, I'm not
7 certain.

8 Q After he fell, what was his position on the porch, his
9 body?

10 A As far as if he was on his -- I believe he was stomach
11 facing down.

12 Q So, at that point you couldn't see his face; is that
13 right?

14 A When he initially went down to the floor?

15 Q You said he's down, face down. I'm asking can you see
16 his face.

17 A Initially I don't recall if I could see his face or not.

18 Q Okay. After he fell where was McCoy?

19 A I'm not, I'm not certain. He was, he was behind us. I
20 don't, I don't recall where he was. I just recall him
21 trying to restrain him at some point shortly thereafter.

22 Q At some point did you come to believe that he was
23 regaining consciousness?

24 A Yeah, when he, when he came back to and started fighting
25 again.

1 Q When he came back "through" or "to"? I can't hear.

2 A Came back to consciousness, if -- Like I said, I believe

3 he did lose consciousness. And when he, when he

4 appeared to be -- come back to, he immediately started

5 fighting with us again.

6 Q How long was he apparently unconscious to you?

7 A Again, the time frame, I don't know the exact time. It

8 was, it was fairly quick. I remember Cody trying to

9 restrain him and, and not being able to get both

10 restraints on.

11 Q What do you mean by "fairly quick"?

12 A It wasn't, it wasn't very long. Again, the time frame

13 I'm not certain, but it wasn't an extended period of

14 time.

15 Q What do you mean by an extended period of time?

16 A It wasn't a long period of time. It wasn't several

17 minutes. It was fairly quick. Cody was trying to,

18 trying to restrain him and was, was only able to get one

19 restraint on at that point.

20 Q Did you reapply the neck restraint?

21 A Did I reapply the LVNR?

22 Q Yeah.

23 A When he, when he started fighting I went back into it,

24 yes.

25 Q So, there was some period of time when you released the

1 LVNR?

2 A As I previously stated, I had slipped on the, on the,
3 the porch.

4 Q So, there was some period of time when you released it?
5 Is that related, the slip and the releasing?

6 A Yeah, I just answered, yeah. That when I slipped I
7 wasn't, wasn't holding onto him directly.

8 Q Directly, what does that mean? Were you holding onto
9 him some other way?

10 A No. Like I said, I slipped and I wasn't -- I didn't
11 have contact with him. I don't recall having contact
12 with him.

13 Q Okay. So, there's no contact with him, and then you put
14 the neck restraint back on? Is that right?

15 A When he came -- When he started fighting again and we
16 were working -- we weren't able to further restrain him
17 in the second handcuff, yeah, I reapplied the lateral --
18 the LVNR.

19 Q Okay. And when he started struggling again, did you put
20 all your weight on top of his back?

21 A How much weight was put where, I don't know. The, the
22 porch was very, very slippery, and I -- my lower half of
23 the body was, of my body was pointed down the stairs.
24 So, if -- I couldn't venture to say that I had all my
25 weight on him, no.

1 Q What part of your body did you put on his back?

2 MS. RAGONESI: Object to the form.

3 A Again, my, my, my body, the majority of it was, was
4 down, facing down the stairs, and the, the slipperiness
5 I guess -- it's not really a word -- but just the
6 slippery nature of the porch made it difficult to, to
7 remain in one, in one place.

8 Q Is this a true statement: "I immediately dropped all my
9 weight down onto his lower back and chest area"?

10 MS. RAGONESI: Object to form.

11 A I, I don't know what you're reading.

12 Q I know you don't. Is that a true statement, though?

13 MS. RAGONESI: Object to form.

14 A How, how would I answer that if I don't know what you're
15 reading.

16 Q You would answer whether it was true because you know it
17 was true or you would answer it was not true if it was
18 not true. So, I'll read it again. "I immediately
19 dropped all my weight down onto his lower back and
20 chest," period. Is that true?

21 MS. RAGONESI: Object to form.

22 A Again, I don't know what you're reading, so I can't give
23 an accurate depiction of whether or not whatever it is
24 that you're reading is true or not true or what it is or
25 what it isn't.

1 Q Why do you need to know what I'm reading from in order
2 to know it's true?

3 A Because it sounds like you're putting words in that I
4 don't know what it is that you're putting in.

5 Q Well, so then if it doesn't sound true to you why can't
6 you answer "that doesn't sound true to me"?

7 MS. RAGONESI: Object to the form of the
8 question.

9 Q Why do you need to know what I'm reading from in order
10 to know if it's true?

11 MS. RAGONESI: Object to the form of the
12 question. Counsel, it's getting argumentative.

13 A I mean, we could go back and forth all day long. You
14 can tell me what it is you're reading. I can probably
15 give you an accurate answer from that. But, again, if,
16 if you want to keep going back and forth with this my
17 answer is the same as it previously was.

18 Q And I'll tell you I'm reading from Page 18 of your tape
19 recorded statement word for word. Now, could you tell
20 me if it's true?

21 MS. RAGONESI: Object to the form.

22 A I don't know.

23 Q Why don't you know if that's true or not?

24 MS. RAGONESI: Object to the form of the
25 question. It's been asked and answered. Counsel, are

1 you going to show the witness the exhibit or continue to
2 read excerpts?

3 MR. LOBSENZ: You can show him the exhibit if
4 you'd like.

5 Q Did you maintain the neck restraint, then, after he
6 began to struggle again?

7 A I, I reapplied it, yes.

8 Q For how long?

9 A I don't know.

10 Q Did you talk to Dep. McCoy about keeping the neck
11 restraint on?

12 A At this point I don't recall what was said or not
13 between Dep. McCoy and I.

14 Q Did you decide it was necessary to keep the restraint on
15 until the additional officers showed up?

16 A Again, at this point without my, without my report in
17 front of me, I don't know what I was -- where I was at
18 at that point.

19 Q Did you make any more attempts to activate your
20 microphone while you were out there on the porch?

21 A I believe it -- at some point I, I asked for some help.
22 And then later on I, I'd asked for an aid car.

23 Q Okay. How long did it take for people to show up from
24 the time you fell out there on the porch?

25 A I, I don't know.

1 did. I don't recall at this point.

2 Q Were you in pain at that time when the aid car came?

3 A I was.

4 Q And what hurt?

5 A Without, again, without my report, I would need to

6 reference that to see exactly what -- how I remember my,

7 my back was in pain from slipping down, down the

8 stairwell. And arm, my arm was hurt, pretty numb, both

9 of them. And I'm not -- I don't know exactly what else.

10 Q Do you recall what other officers did eventually show

11 up?

12 A Who? Are you asking for who, who they were?

13 Q Yeah. Who do you recall?

14 A At this point I don't recall specific names of who was

15 there that night. Obviously McCoy was there, McCoy was

16 with me. A couple of Monroe officers. Some more, some

17 more deputies. I don't know exact numbers of them.

18 Sgt. Johnson was there. I don't know exactly all who

19 else.

20 Q Did you stop applying the neck restraint when the Monroe

21 officers showed up?

22 A When, when they showed up I, I stopped the LVNR, and I

23 was exhausted and slipped down the, down the stairs as

24 they, as they came up.

25 Q When you were -- When the other officers came to relieve

1 you and you could leave the stairs, where did you go
2 immediately?

3 A Again, without, without my report in front of me, I
4 don't know exactly where I went immediately from there.
5 I did, I did end up down in the area of wherever it was
6 that we parked the car.

7 Q Did you see any other officers applying CPR to Mr. Dold?

8 A I had -- I could not see what was going on from where I
9 was.

10 Q So, you never saw -- Did you ever see any of the medical
11 aid people giving CPR to Dold?

12 A Again, I couldn't see what, what was going on over there
13 from where I was.

14 Q Okay. At some point did you become aware, even if you
15 couldn't see it, did you get informed that people were
16 giving CPR to him?

17 A I, I still had my portable radio on and I heard at one
18 point that they had, they had finally got him detained.
19 I remember something to the effect of they had a weak
20 pulse, then they were starting CPR and asked for aid to
21 expedite.

22 Q At some point that evening did you learn that Mr. Dold
23 had died?

24 A Yes.

25 Q Do you know where you were when you learned that?

1 A By my patrol car.

2 Q Okay. Are we talking about by your patrol car still out
3 there on 221st Southeast?

4 A Yes.

5 Q Did you have contact with Dep. Ed Whipple out there by
6 your patrol car?

7 A Ian Whipple?

8 Q Sorry. Ian Whipple. Is there more than one Whipple?

9 A There's no Ed Whipple, just Ian Whipple.

10 Q Is that the same Whipple you were with when you
11 encountered Adam Colliers?

12 A Yes.

13 Q Did you have contact with Dep. Ian Whipple on this night
14 March 20, 2017?

15 A At some point I believe he arrived when I was at my car
16 and stayed, stayed there until the aid car arrived to
17 examine -- He was, he was there and, and around. I
18 don't know exactly where he was. He was around me or
19 around my car waiting for the aid car.

20 Q Did the two of you talk?

21 A I, I don't remember talking to him. I think he asked if
22 I was okay. That was, that was pretty much it, I
23 recall.

24 Q Was he there when you, when you learned that Mr. Dold
25 had died?

APPENDIX D

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JENNIFER DOLD, personal)
representative of the estate)
of Alexander Dold; and)
KATHY DUNCAN,)
)
Plaintiffs,)
)
vs.)
)
SNOHOMISH COUNTY, a political)
subdivision of the State of)
Washington; BRYSON McGEE; and)
CODY MCCOY,)
)
Defendants.)

NO. 2-20-cv-00383-RAJ

REMOTE VIDEO RECORDED DEPOSITION UPON ORAL EXAMINATION OF
CODY MCCOY

MONDAY, NOVEMBER 22, 2021

DEHUFFDEPO.COM

1 Q Okay. And what was that about a Charles? It was -- Is
2 that the location?

3 A Yeah, the area that the call fell in.

4 Q Okay. And what was that area?

5 A I believe it was Charles 3, but it might be Charles 4.
6 It's been a while since I was there.

7 Q And that's some subdivision of South Snohomish County?

8 A Yeah, my patrol area.

9 Q Okay. What else do you recall? Physical domestic, son
10 and mother. Anything else?

11 A I remember getting an update about the, the suspect's
12 being off his medications.

13 Q Okay. That's -- For right now, for purposes of these
14 questions, I'm trying to ask if you remember hearing
15 anything else while you were in the station.

16 A Not to my recollection.

17 Q Okay. So, while you were in the station you didn't hear
18 anything about what particulars were of whatever this
19 physical domestic altercation was?

20 A I believe it was just a son had pushed his mother.

21 Q Okay. Anything else you remember hearing over the radio
22 while you were in the station?

23 A No.

24 Q Okay. Then you got more information after you left the
25 station?

1 park?

2 A No.

3 Q Did you get any information about what cars to expect in
4 the area?

5 A Yes.

6 Q Okay. Well, what do you recall getting information
7 about that?

8 A The description of two vehicles, one being the mother's
9 and one being the suspect's.

10 Q And what was the description of the mother's vehicle?

11 A A green car of some sort, I believe.

12 Q I'm sorry, it was a little fuzzy. What was that?

13 A A green car of some sort I believe.

14 Q A green car. And does Yaris sound familiar?

15 A Yeah.

16 Q Okay. And what were you told about where it would be?

17 A I think it was parked in the driveway.

18 Q Okay. Not on the road but in the driveway?

19 A I don't recall. I believe it was in the driveway.

20 Q And what about the second vehicle, what were you told
21 about it?

22 A I believe it was a Saturn, the suspect's car.

23 Q Okay. And the color?

24 A I don't recall, but I want to say white.

25 Q Okay. In the time from when you started -- From the

1 A I don't recall.

2 Q Okay. I just want to see if I can confirm. I think

3 this is in your statement as well. But on police radio

4 you would be referred to as 1 Charlie 2 or 1C2?

5 A Correct.

6 Q And McGee would be 1 Charlie 9?

7 A I believe so.

8 Q Okay. The police dispatch log shows that 1 Charlie 2 --

9 that being you -- arrived at 9:47 p.m. and twelve

10 seconds. Do you have any reason to disagree with that?

11 A No.

12 Q Did you make an effort to drive as fast as possible, as

13 fast as safely possible?

14 A I don't recall.

15 Q While you were driving did any communication come to you

16 over police radio that you should get there faster?

17 A No.

18 Q Were you ever advised at any time before you got there

19 that there was an emergency?

20 A A physical domestic.

21 Q Uh-huh. Well, that had happened --

22 A -- Emergency.

23 Q Can't understand.

24 A That is an emergency.

25 Q That is an emergency always? Is that what you're

1 saying?

2 A I mean, yes.

3 Q Okay. Well, would you agree with me that if it was --

4 somebody reported that there was a push the day before

5 that wouldn't be an emergency?

6 A Correct.

7 Q Okay. If somebody -- If police radio said "son pushed

8 his mother six hours ago," would you consider that an

9 emergency?

10 A Yes.

11 Q You would. Well, how recent does it -- How far back can

12 it be for it to still be an emergency in your mind?

13 A The day of.

14 Q Any time in the last twenty-four hours and it's an

15 emergency? I just -- Is that what you're saying?

16 A In my opinion.

17 Q In your opinion. Okay. When you left the police

18 station, was there anything you had to do before you

19 left?

20 A I don't recall.

21 Q Well, do you know whether there was any equipment you

22 had to gather up before leaving?

23 A I don't recall.

24 Q In your written report on Page 1, which I can at least

25 represent to you -- and if you want we can stop and you

1 A Not on the driveway but on the road.

2 Q On the road. Okay. Did you know which driveway to turn
3 in?

4 A Approximately, yeah, from our mapping system.

5 Q Okay. And what was it that McGee asked?

6 A I believe it was the house address and a description of
7 the vehicles.

8 Q Okay. And did that help?

9 A Yes.

10 Q Okay. After you got that description of the vehicles,
11 then what happened?

12 A We located the correct driveway and walked up the
13 driveway.

14 Q You located the driveway -- am I right -- you parked
15 because you saw the mother's vehicle?

16 A I don't recall why we parked where we did.

17 Q Okay. Was the mother -- Do you recall if you found the
18 mother's vehicle where you expected to find it?

19 A Yes.

20 Q And that's, and that's, yes, you did find it where you
21 expected to find it?

22 A Yes.

23 Q Okay. All right. And was it -- How far away were these
24 two vehicles, the mother's vehicle and the white -- You
25 called it a Saturn; is that right?

1 Q And when you walked down the driveway, did you hear any
2 noises from or voices from people when you walked down
3 the driveway?

4 A Not that I recall.

5 Q Did you pass any other houses?

6 A No.

7 Q When you parked, were you in the vicinity of any other
8 houses?

9 A Yes.

10 Q Did you hear -- Were there lights on in those houses?

11 A I don't recall.

12 Q Did you hear anything from any other house?

13 A Not that I remember.

14 Q So, is this accurate: From the time you park your car,
15 get out, to the time you walk and McGee is about to
16 knock, you heard nothing?

17 A Other than Bryson going over the radio.

18 Q What did he say over the radio?

19 A Asking for the address and the description of the
20 vehicles again.

21 Q Other than that you heard nothing?

22 A I believe we said "I don't think this is the right
23 door," and then we went around to the front of the
24 house.

25 Q Okay. But besides the two of you, I mean, you heard his

1 voice and he heard your voice?

2 A Correct.

3 Q That's it, you heard nothing else?

4 A To my memory, yeah.

5 Q Okay. All right. You -- Had you had experiences
6 responding to other calls with -- that Bryson McGee also
7 responded to?

8 A What do you mean, sir? Had we been to calls together?

9 Q Before this event.

10 A Yes.

11 Q Many times?

12 A Yeah.

13 Q Okay. Had you been to -- responded to other calls where
14 there was a domestic violence incident and you responded
15 and he responded?

16 A I would assume so.

17 Q Do you remember any?

18 A No.

19 Q Had you been to any prior incidents with -- that he also
20 responded to that involved mentally ill people that you
21 can recall?

22 A Not that I can recall.

23 Q Had you been to any other incidents that he also
24 responded to that involved a person who appeared to be
25 under the influence of drugs or hallucinating?

1 together. The risk wasn't worth the reward.

2 Q You knew she wasn't using one together; right? Didn't

3 you already say you knew she went to another location to

4 make the call?

5 A Yeah, but she could have taken her joint cell phone with

6 her. Could have been his phone. I didn't know if it

7 was his or just her sole possession of the phone.

8 Q You didn't consider making a phone call to her?

9 A No.

10 Q Okay. And as far as -- McGee never said anything to you

11 about that possibility; right?

12 A I would say typically on domestic violence calls we do

13 not call over the phone.

14 Q And McGee never said anything to you to indicate he

15 considered just calling her; right?

16 A Correct.

17 Q And typically you don't have a domestic violence person

18 going back to the location where they're reporting being

19 assaulted; right?

20 A I'm not going to say never but usually not, yeah.

21 Q Didn't that indicate to you that Kathy was not afraid

22 for her own safety?

23 A No.

24 Q No. Okay.

25 A She left the house because she was afraid, so...

1 Q Weren't you in a position to be able to see he didn't
2 have any weapons in his hands?
3 A No.
4 Q Okay. At any point were you ever able to form the
5 conclusion that he doesn't have any weapons in his
6 hands?
7 A Once he punched Dep. McGee in the face, yeah.
8 Q But not before that?
9 A No.
10 Q Okay. You still got your gun unholstered?
11 A No. At this point once I made contact with Kathy in the
12 window I believe I reholstered it.
13 Q Why?
14 A I didn't want to cause any more fear to her.
15 Q Okay. Okay. So, he makes this statement and she lifts
16 the curtain; is that right?
17 A I believe she pulls it back, yes.
18 Q She used one hand or two hands?
19 A I believe one because she was on the phone.
20 Q Okay. And let me ask you about reholstering your gun.
21 A Sure.
22 Q You have a holster on your belt?
23 A Correct.
24 Q Does it have a flap that goes --
25 A -- It has a retention device, yes.

1 MR. JOLLEY: Object to the form.

2 A No.

3 Q You didn't know that yet?

4 A No.

5 Q Okay. Was there any conversation between Dold and
6 either one of you as to whether or not he would come
7 outside the house?

8 A Yeah, between Bryson and Mr. Dold.

9 Q Okay. Who initiated that?

10 A I think Bryson asked if he would come outside and talk
11 with us, and he said, "No, I'll talk to you from here,"
12 from the doorway.

13 Q Is it routine for you when you're confronting suspects
14 when they're standing inside their homes for you to ask
15 them to stand outside their home?

16 A Yeah, not unusual.

17 Q And why do you do that?

18 A Separate the parties. It gives us advantage, a tactical
19 advantage and separates the parties. I don't know
20 what's inside the house directly behind the door by the
21 jamb.

22 Q Okay. Any other reason?

23 A To interview him.

24 Q Okay. But you could interview him from where he was,
25 that's what he said; right? "We can talk from here."

1 A Correct.

2 Q If he stays inside the house, you can't come in without

3 a warrant unless there's some great emergency; correct?

4 MR. JOLLEY: Object to the form.

5 A Yeah, exigency.

6 Q So, if he won't step out, you can only step in because

7 there was a warrant or exigency; right?

8 A Or permission.

9 Q Or permission. And you didn't have permission from

10 anyone; right?

11 A Not at that point, no.

12 Q Okay. At some later point where you had permission?

13 A No.

14 Q Okay. And you didn't have a warrant; right?

15 A No.

16 Q Okay. So, he's not coming out. She's there. Do you

17 remember him saying, "I'll talk to you from here"?

18 A Yes.

19 Q Okay. Then what happened?

20 A I believe Bryson and him had a further conversation

21 about how we need to make sure that Kathy is safe and

22 okay and he refused.

23 Q Okay. Did you consider just saying, "Hey, Kathy, are

24 you okay"?

25 A We weren't able to communicate that well. She was on

1 Q Okay. Do you remember him saying, "She got in my face
2 so I pushed her"?

3 A Yes.

4 Q Did you have any reason to think any of those things was
5 not true?

6 A No.

7 Q At that moment when he said, "She's right here," did you
8 have any reason to believe anyone was in immediate
9 danger?

10 A I mean, yes, based on him admitting to an assault that
11 he -- just occurred and them being in the same house and
12 now the police are there. And I felt like, yeah, the
13 situation was gonna escalate.

14 Q You just said it had just occurred. Why did you say
15 that? I thought you had no idea when it had occurred?

16 A I mean, I assumed it had just occurred.

17 Q Well, what do you mean by "just"?

18 A Within the last few hours.

19 Q Okay. So, you thought that because some push had
20 occurred within the last few hours that she was in
21 immediate danger?

22 A Yes, especially now that the police were at his
23 doorstep.

24 Q Okay. So, a push had occurred sometime within the past
25 couple of hours, police were there, and he was saying

1 you can't come in. Any other reason you thought she was
2 in immediate danger?

3 MR. JOLLEY: Object to the form.

4 A Other than him already admitting to assaulting her and
5 then his attitude and his, like, how he spoke to the
6 police and how he answered the door.

7 Q Okay. And that's it; nothing else?

8 A Correct.

9 Q At this point when he's saying "she's right here," did
10 she speak?

11 A She was on the phone, so, yeah, she was speaking.

12 Q No, I meant did she speak to either you or McGee?

13 A No.

14 Q Do you remember her saying, "I'm right here"?

15 A I don't remember that, but could have happened.

16 Q Now, is there any more light that allows you to see
17 better into the house?

18 A Yeah, she had the curtain pulled back at this point, so
19 I could see -- at least some point. The house and
20 windows were still above my eye level, so I'm looking up
21 into it.

22 Q Okay. You're looking up. And was she backlit like he
23 was backlit?

24 A Yes.

25 Q Okay. So, can you see her face?

1 A Yeah; she looked scared.

2 Q Okay. And why?

3 A I'm assuming she was scared of Mr. Dold and...

4 Q And how come you didn't think that maybe she's scared of

5 you?

6 A She called us.

7 Q Okay. How come you didn't think that she was scared

8 that he would be hurt?

9 A He would be hurt?

10 Q He Dold.

11 A Could you ask me the question again? I'm sorry.

12 Q Okay. Well, she called you to ask -- she called, not

13 you personally, but she called the police saying, "I

14 want him taken to a psych' hospital;" right?

15 A Correct.

16 Q She had reason to believe that he wasn't gonna want to

17 go; right?

18 A Yeah. She knows her son better than we do.

19 Q And do you think maybe she was sad about the fact that

20 her son had to go to a hospital?

21 MR. JOLLEY: Object to the form.

22 A Potentially.

23 Q But you didn't speak any words to her and she didn't

24 speak any words to you?

25 A Correct.

1 and later opened it wide?

2 A Correct.

3 Q When he starts to close the door, how, how close did it

4 get to totally shut?

5 A I don't remember.

6 Q Okay.

7 A I couldn't see from my vantage point still.

8 Q Okay. At any point that evening did you ever see

9 Mr. Dold hit his mother?

10 A No.

11 Q At any point in the evening did you ever see Mr. Dold

12 touch his mother?

13 A See it personally, no.

14 Q At any point in that night did you ever see him reach

15 out in the direction of his mother?

16 A No.

17 Q At any point that night did you ever hear him threaten

18 his mother?

19 A No.

20 Q At any point did you ever hear him threaten you?

21 A Yeah.

22 Q What did he say?

23 A This is a lot later in the incident, but at some point

24 we're on the stairs, and he said "I'm gonna fucking kill

25 you."

1 A No.

2 Q Why not?

3 A He tried shutting McGee in the door.

4 Q Were you surprised that he pushed the door and entered?

5 A Who?

6 Q McGee.

7 A No.

8 Q No. Did you think McGee had some right to enter at that

9 point?

10 A I believe we had exigency to enter the house after he

11 admitted to assaulting his mother.

12 Q I see. Okay. So, what is the, what is Kathy doing

13 while McGee is pushing on the door in and Dold is

14 pushing on the door out?

15 A I don't know. I was focussed on the altercation at the

16 door at that point.

17 Q Okay. What's the next thing you saw?

18 A Mr. Dold punched Dep. McGee in the face.

19 Q Okay. Now you're -- When you saw that, you were

20 standing where?

21 A Probably still on the second step, and I could have

22 potentially been a little bit higher.

23 Q But not yet on the landing?

24 A I might have been.

25 Q Okay. Second step, maybe on the landing?

1 A I'd have to refer back to my report.

2 Q Okay. Do you ever remember hearing McGee say "I could
3 shoot you"?

4 A I don't recall.

5 Q Do you remember any other officer at any point saying to
6 Dold, "I could shoot you"?

7 A No.

8 Q Okay. Do you remember threatening to break any of his
9 bones?

10 A Yeah, I threatened to break two of his fingers.

11 Q And did he respond to that?

12 A No.

13 Q Okay. And did you try to break his fingers?

14 A I did.

15 Q And as I understand it, you believe that you probably
16 did break his fingers; right?

17 A I, I believe I did. I tried my best to.

18 Q At any point while the -- did -- at any point while
19 during the entire incident did you ever hear Kathy the
20 mother saying to Alex, "Alex, you need to go to the
21 hospital," or anything along those lines?

22 A No.

23 Q At any point during the incident do you remember her
24 saying to you or McGee, "He has a mental illness"?

25 A No.

1 Q Do you remember at any point her saying, "He's a
2 schizophrenic"?
3 A No.
4 Q Do you remember her saying to you, "He's off his med's;
5 he's off his med's"?
6 A I remember that, but I don't know if she's speaking to
7 us or to the person on the phone.
8 Q Do you remember her saying, "He's afraid of police"?
9 A No.
10 Q And she never said that?
11 A I don't remember saying that.
12 MR. LOBSENZ: Okay. I've gone a little bit --
13 No, I've gone just about another hour, I think. What do
14 you think, Carrie? Another break or what?
15 (Recess in proceedings 11:21 a.m. to 11:34 a.m.)
16 Q Okay. I want to go back to the point where you were
17 seeing Ofc. McGee being punched. Did you see where --
18 Could you see whether or not McGee attempted to block
19 the punch in any way?
20 A No.
21 Q You couldn't see that?
22 A I couldn't see that.
23 Q Did McGee say anything after he was struck?
24 A I don't recall.
25 Q What did he do, what did McGee do after he was struck?

1 A Attempted to apprehend a suspect that just assaulted
2 him.

3 Q Well, more specifically what did he do?

4 A Tried grabbing Mr. Dold at the door.

5 Q Okay. And then what happened?

6 A They continued to fight.

7 Q Okay. And what are you doing at this time?

8 A Trying to get up to where Bryson and Mr. Dold are
9 fighting, to assist.

10 Q Trying to get up to him. You went through the door; is
11 that right?

12 A Eventually, yes.

13 Q Did you say "potentially"?

14 A Eventually.

15 Q Eventually. Okay. And as you're going through the,
16 you're going through the door, what are they doing?

17 A Fighting.

18 Q Okay. Is McGee striking back at Alex Dold?

19 A I believe so, but at this point once I got through the
20 door they were separated a little bit, and I was able to
21 deploy my taser.

22 Q Okay. Describe what you mean by "they were separated."
23 Who was where?

24 A Bryson was near the door and Mr. Dold was a couple feet
25 in front of him in the living room.

1 Q A couple feet in front of him. So, they weren't
2 fighting at that instant?

3 A Once they were separated, no.

4 Q Okay. And you chose that moment to fire your taser?

5 A Correct.

6 Q Okay. Why?

7 A To apprehend the suspect.

8 Q Why not just do nothing for a moment and, say, speak to
9 him and try to calm him down and take him into custody?

10 A He's in the position of advantage at this point inside
11 his home where there could be weapons throughout.

12 Q Okay. So, you tased him because there could be weapons?

13 A And he just assaulted a police officer and was -- You
14 know, I had probable cause to arrest him for assault on
15 his mother.

16 Q Yeah, and why does that mean you would tase him because
17 he assaulted his mother?

18 A He's combative.

19 Q Pardon?

20 A He's combative.

21 Q I understood at this moment they're separated by a few
22 feet, they're not fighting; right?

23 A Correct, but we're still trying to apprehend him before
24 he can get any further weapons or continue to assault
25 Dep. McGee.

1 Q Okay. When you fired on him, was he moving?

2 A Yes.

3 Q Where was he moving?

4 A I don't recall. He was inside of the living room when I

5 deployed my taser.

6 Q Was he moving further away from you or further -- or

7 closer to you?

8 A I don't recall, it happened so fast.

9 Q Okay. Did you say anything before you fired your taser?

10 A I don't believe so.

11 Q Okay. Is there anything you have to do to get your

12 taser ready to be fired?

13 A I have -- Go ahead.

14 Q Besides take it out of its holster?

15 A Yeah, remove it from the holster and then turn it from

16 safe to fire mode.

17 Q Anything else you have to do?

18 A Pull the trigger.

19 Q Okay. After you pulled the trigger, was there any

20 verbal reaction from Mr. Dold?

21 A I think he grunted and fell into a wall, up against the

22 wall.

23 Q Okay.

24 A Still on his feet.

25 Q Did you -- Did you see whether your taser darts hit him?

1 stun?

2 A No.

3 Q If you leave it in you can use another five seconds in

4 dart mode?

5 A Correct.

6 Q Okay. So, you, when you see McGee standing on the left

7 side of the bed, what's the next tasing; you or McGee?

8 A I believe it was McGee.

9 (Comments off the record.)

10 Q All right. What, what could you see, if anything,

11 happened after McGee fired his taser?

12 A We were able to wrestle him to the ground next to the

13 bed.

14 Q The two of you did that?

15 A I believe Bryson was able to fire -- Mr. McGee was able

16 to get him to the ground.

17 Q Okay. So, when you said "we," you just meant we jointly

18 had success?

19 A Yeah.

20 Q But you meant McGee is the one who did it; correct?

21 A Yes.

22 Q Yes? That was, "Yes, McGee is the one that did it"?

23 A Yes.

24 Q Sorry. Okay. Besides you telling McGee that -- "My

25 taser is still attached, the wires are still attached if

1 Q Okay. All right. What happens when he falls on the
2 ground, the two of them fall on the ground?

3 A I believe Bryson is on top of him and I placed my knee
4 into his cheek to hold his head to the ground.

5 Q When they fell to the ground did McGee speak to Dold?

6 A Not that I recall.

7 Q Did you speak to Dold?

8 A Probably "stop resisting," but nothing that I can
9 distinctly remember without referencing my report.

10 Q Did Dold say anything?

11 A No.

12 Q Do you remember Dold saying the word "no, no, no, no,
13 no"?

14 A Yes.

15 Q Is that here in the bedroom on the ground that he's
16 saying "no, no, no"?

17 A I don't recall.

18 Q You just recall he said it sometime that evening?

19 A Yes.

20 Q Okay. When you're giving these commands, are you able
21 to look at Mr. Dold's face?

22 A Sometimes.

23 Q What's the expression on his face?

24 A Ready to escape. He's angry, non-compliant.

25 Q Do you remember describing his expression as a blank

1 stare?

2 A Yeah, at one point.

3 Q At what point did you first see that?

4 A Probably once I had him pinned to the ground with my
5 knee with Bryson on top of him.

6 Q What do you mean by a blank stare?

7 A Just staring off into the distance, not responsive.

8 Q Okay. Is this putting the knee on somebody's cheek
9 something you were taught?

10 A Yeah; it's a control technique.

11 Q What were you taught about this technique?

12 A That it's painful and it controls their head and neck.

13 Q Okay. And if it's painful, can you explain to me why
14 that helps control them?

15 A Yeah, so I can pin his head to the ground while Bryson
16 is on top of his main body.

17 Q Well, if it's very painful doesn't it give the person a
18 reason to really resist harder to stop the pain?

19 A I don't know, I've never felt it.

20 Q When you pinned his head to the ground did he resist
21 harder?

22 A He continued the level of resistance the entire time.

23 Q Did he try to lift his head up and throw your knee off
24 his head?

25 A Yes.

1 Q And I gather at some point he was successful; right?

2 A Yes.

3 Q Okay. So, I think you might have said in your report --

4 I don't remember -- but if you're -- I'm wondering -- It

5 doesn't make much difference. But I'm wondering if his

6 head is turned to the right and your knee is on his

7 right cheek or his head is turned to the left and your

8 knee is on his left cheek. Do you remember?

9 A No.

10 Q Okay. But whichever it is, there's -- am I right, his

11 head was turned to one side or the other?

12 A Correct.

13 Q Okay. And... Let's just use your right cheek -- I'm

14 not suggesting that we know whether it was the right

15 cheek or the left cheek without your looking -- but just

16 for the moment, would you point to your right cheek to

17 where you put your knee?

18 Okay. And when you put your knee there, am I

19 right, you're putting weight of your body on your knee?

20 A Yeah, some level of weight, yeah.

21 Q Okay. Well, are you trying to put all your body weight

22 on your knee?

23 A No.

24 Q Can you tell me how much of your body weight you're

25 putting on your knee?

1 Q How did he appear to understand you if you had --
2 A -- He just, it looked like he had heard what we were
3 saying.
4 Q Okay. But he didn't respond verbally?
5 A No, he was still fighting us.
6 Q And he still had this blank stare?
7 A Yep.
8 Q Did he have the blank stare for the rest of the night
9 until he lost consciousness?
10 A I don't recall.
11 Q Well, did you see that blank stare again when you were
12 fighting with him when he got out of the house and onto
13 the steps?
14 A Couldn't see his head.
15 Q Couldn't see his head. Okay. Do you remember Kathy
16 saying while you were in the bedroom, "He's off his
17 med's; he's off his med's"?
18 A No, I don't remember that.
19 Q So, when you were pinning his cheek, his head to the
20 ground, what were you doing with your hand?
21 A Applying closed fist strikes to his face.
22 Q You call them strikes. Are they somehow different from
23 punches?
24 A Yeah, I wasn't punching forward. I was striking down.
25 Q You made a motion there of a direction down instead of

1 Q Can you tell me whether or not it was more or less than
2 five seconds?

3 A No.

4 Q You don't know?

5 A I don't know.

6 Q Okay. Why not?

7 A Because you can have a lateral vascular neck restraint
8 in place but not applying any pressure. So, unless I
9 was physically able to feel Bryson's arms applying
10 pressure I wouldn't have any say.

11 Q Okay, forget about the pressure for a minute. For how
12 long did his arm remain around his neck?

13 A I think the duration.

14 Q Yeah, the duration.

15 A Yeah, I think the rest of the duration.

16 Q How long is the rest of the duration?

17 A Five minutes.

18 Q Okay. All right. So, out on the steps, what are you
19 doing now when you get out there?

20 A Controlling Mr. Dold's legs and attempting to handcuff
21 him.

22 Q So, he's eventually handcuffed. Do you know whose
23 handcuffs are actually used to eventually handcuff him?

24 A I think mine.

25 Q Okay. So, you got them off your belt?

APPENDIX E

Um, so at that point, um, obviously we got dispatched to a physical domestic, right? Um, at that point at the doorway he's admitting to me that he assaulted his mother, um, and um, that uh, so the senses that I kinda had where she maybe wasn't okay kind of confirmed that when he uh, admitted the uh, the assaulting her. Um, I then asked him if...if we could come in, um, and uh, and check on his mom and he stated, "No," that "she's fine" and he started to close the door again. Um, at that point, based on everything that we had in the call, um, what we initially saw or what I initially saw when I was there, um, I did not feel comfortable leaving without investigating this further and obviously, um, at that point he's already admitted to assaulting his mother, um, so um, I (inaudible) at...at that point my intention was to detain him to further investigate the um, the incident or the assault on his mother. Um, so I put my foot, uh, on the door or in front of the door to stop him from shutting it, um, and uh, he kinda started shoving the door, trying to get it...trying to really get it closed. Um, so again at that point I didn't...I didn't know what...what kind of condition the mother was in, um, what kind of condition, uh, anybody else in the house was in; all I know is that a) why I'm there b) what I've observed and c) that he's already ad...uh, admitted to me that he's assaulted his mother. Um, so I started to push back on the door, uh, told him that...that he was um, uh, that he was under arrest until we figure out what's...what's going on, um, based on what...everything...the...the totality of the circumstances that I had at that point. Um, he uh, he kinda started...it was kind of a tug-of-war, uh, back and forth at the door there for a quick minute, um, and uh, I eventually shoved it open, he kinda stepped back and uh, I walked in and started walkin' towards him, uh, he uh, reached back, socked me, came back, punched me square in the face on the left side of my face just under my eye, uh, which kinda knocked me back for a second. Um, I told him again that he was under arrest and he turned and ran towards the back bedroom.

MS Alright. Can you uh, can you...for the diagram, can you just show...let's refer you...to you as "Deputy 1, D1", and McCoy as "D2".

BMG So I was here and McCoy was roughly somewhere over here.

half and the male's fighting, uh, pretty intensely to get free. Um, as soon as I saw that, I immediately dropped all my weight down onto his um, lower back and chest area or excuse me, lower back, as his chest was on the porch, um, and I went back into an LVNR and...and uh, again, started um, applying pressure on the LVNR again to render him unconscious so we could get him back into custody. Um, as um, so as...as I'm on...on his back, he's kind of...his...his le...I believe it was his left arm was out front, I'm behind him with my head back against his head delivering the LVNR, I could feel him several times punching the top of my head and he started eye gouging, I...I think he was eye gou...trying to eye gouge my...my eyes to render me uh, or to incapacitate me and to...to thwart his, um, my attempt to...to get him uh, under control and...and under...under arrest. Um, uh, at that point, again my...um, my right side, I...I kind of cozied my body up with him as McCoy's kind of straddling his...his lower half, um, and um, basically my um, my duty belt and my gun was up on his back half where my McCoy had the one, I believe it was cuffed or...or somewhat in...in some form of...of control.

Um, I could feel him, the suspect, several times grab my gun again, um, and uh, I had basically advised Dep...uh, Deputy McCoy that I was gonna remain in...in LVNR until our backup arrived because I knew it was still gonna be several more minutes. Um, uh, McCoy, I think, got on the radio and said somethin' to the extent of "Hurry up!" Um, I got um, I got on again, um, with...with my left arm, uh, keyed up again on my radio and advised that we needed some units there now. Um, and at...at that point, um, uh, again, my head was on his...the...basically he was kind of turned off like this so my...my ear was pretty close to his...his ear and his mouth and I'm kinda um, delivering more pressure with my head onto his and again, trying, in an LVNR, trying to render him unconscious to get him under somewhat of control. Um, I kept yellin' at him to show me his hand because at that point I couldn't see the hand, I just could keep feeling it extended and...and hittin' me, um, and I told him to...to stop fighting and show me his hand repeatedly, um, while we were on the porch.

APPENDIX F

Deputy McGee Taser Log

Dep. McIver



EVIDENCE SYNC

TASER Information

Dept. EVERETT POLICE DEPT
Serial X00-328989
Model TASER X26
Firmware Version Rev. 24
Device Name X00-328989

Report Generated by

Name Terpening, Ryan
Badge ID 1198
Local Timezone Pacific Standard Time (UTC -0700)
Generated On 29 Mar 2017 10:26:54

Device (X26)

Seq #	Local Time [DD/MM/YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	23 Oct 2007 08:14:33	Sync	23 Oct 2007 08:14:32 to 23 Oct 2007 08:14:33		
2	23 Oct 2007 08:19:10	Trigger	5	28	99
3	23 Oct 2007 08:19:17	Trigger	5	29	99
4	23 Oct 2007 08:19:24	Trigger	5	29	99
5	21 Nov 2007 15:14:11	Trigger	5	24	98
6	21 Nov 2007 15:14:14	Trigger	3	24	98
7	21 Nov 2007 15:14:21	Trigger	5	24	98
8	10 Apr 2008 03:10:08	Trigger	5	23	97
9	12 Apr 2008 17:33:01	Trigger	5	21	96
10	19 Apr 2008 17:26:30	Trigger	5	18	95
11	23 Apr 2008 21:26:23	Trigger	5	23	95
12	24 Apr 2008 17:30:24	Trigger	5	18	94
13	28 May 2008 20:55:15	Trigger	5	23	93
14	05 Jun 2008 17:21:16	Trigger	3	22	93
15	25 Jul 2008 17:00:56	Trigger	5	26	92
16	14 Sep 2008 00:47:32	Trigger	5	28	91
17	25 Oct 2008 22:58:14	Trigger	6	28	90
18	26 Oct 2008 02:47:36	Trigger	5	18	90
19	27 Dec 2008 22:39:25	Trigger	5	28	88
20	03 Jan 2009 17:31:08	Trigger	5	25	88
21	11 Jan 2009 22:01:59	Trigger	5	30	80
22	26 Feb 2009 12:12:13	Trigger	1	23	68
23	26 Feb 2009 12:13:06	Trigger	2	23	68
24	26 Feb 2009 13:49:17	Trigger	4	23	68
25	08 Apr 2009 20:59:26	Trigger	5	22	67
26	08 Apr 2009 20:59:49	Trigger	5	23	66
27	08 Apr 2009 21:17:11	Trigger	4	27	66
28	01 May 2009 19:20:36	Trigger	5	26	65
29	04 Jul 2009 22:42:08	Trigger	5	26	64
30	29 Aug 2009 20:20:27	Trigger	5	28	63

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Daguer Celsus]	Batt Remaining [%]
31	29 Aug 2009 20:21:46	Trigger	7	29	63
32	29 Aug 2009 20:21:52	Trigger	5	29	63
33	29 Aug 2009 20:22:08	Trigger	8	30	62
34	17 Dec 2009 19:54:03	Trigger	5	28	60
35	28 Dec 2009 23:25:53	Trigger	5	24	58
36	30 Dec 2009 21:09:18	Trigger	5	23	58
37	26 Feb 2010 21:44:07	Trigger	2	24	57
38	23 Apr 2010 21:27:55	Trigger	5	24	57
39	14 May 2010 21:50:20	Trigger	5	27	56
40	28 May 2010 08:05:59	Trigger	5	23	56
41	28 May 2010 08:06:11	Trigger	5	23	55
42	09 Jul 2010 21:46:35	Trigger	5	29	55
43	17 Aug 2010 08:25:44	Trigger	5	30	54
44	30 Aug 2010 17:59:52	Trigger	5	23	53
45	01 Sep 2010 09:01:25	Trigger	5	30	53
46	21 Sep 2010 08:29:06	Trigger	1	20	53
47	21 Sep 2010 11:51:32	Sync	21 Sep 2010 11:40:10 to 21 Sep 2010 11:51:32		
48	21 Sep 2010 11:52:32	Trigger	5	25	52
49	21 Sep 2010 11:52:34	Trigger	3	25	52
50	21 Sep 2010 11:52:41	Trigger	5	25	52
51	21 Sep 2010 11:54:06	Trigger	1	25	51
52	29 Sep 2010 10:57:31	Trigger	1	22	51
53	29 Sep 2010 11:03:39	Trigger	5	24	99
54	29 Sep 2010 11:03:42	Trigger	3	24	99
55	29 Sep 2010 11:03:48	Trigger	5	25	99
56	29 Sep 2010 11:47:13	Trigger	5	26	98
57	29 Sep 2010 11:47:20	Trigger	4	26	98
58	29 Sep 2010 11:47:36	Trigger	5	27	98
59	29 Sep 2010 11:50:08	Trigger	5	28	97
60	29 Sep 2010 11:50:11	Trigger	2	27	97
61	15 Nov 2010 18:12:16	Trigger	5	30	96
62	19 Nov 2010 22:05:27	Trigger	2	23	95
63	19 Nov 2010 22:06:03	Trigger	5	24	95
64	24 Nov 2010 14:13:43	Trigger	5	30	95
65	12 Dec 2010 12:52:16	Trigger	5	30	94
66	22 Dec 2010 20:18:47	Trigger	5	23	94
67	09 Jan 2011 11:59:49	Trigger	5	29	93
68	22 Feb 2011 17:38:55	Trigger	5	25	92
69	25 Apr 2011 17:44:10	Trigger	3	24	92
70	02 May 2011 17:51:18	Trigger	5	26	91
71	02 May 2011 17:51:28	Trigger	5	27	91
72	08 May 2011 17:49:51	Trigger	5	23	91
73	08 May 2011 17:50:40	Trigger	5	23	90
74	29 May 2011 17:55:33	Trigger	2	25	89
75	11 Jul 2011 23:35:45	Trigger	5	24	88

Seq #	Local Time [DD/MM/YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
76	11 Jul 2011 23:36:08	Trigger	5	25	88
77	16 Jul 2011 21:00:11	Trigger	5	27	87
78	20 Sep 2011 23:40:33	Trigger	5	27	84
79	23 Sep 2011 22:07:48	Trigger	3	32	84
80	04 Oct 2011 20:48:59	Trigger	5	28	83
81	12 Dec 2011 22:39:02	Trigger	5	28	81
82	13 Dec 2011 18:05:23	Trigger	4	26	81
83	04 Jan 2012 21:01:21	Trigger	5	27	80
84	21 Jan 2012 21:54:20	Trigger	5	11	79
85	21 Jan 2012 21:55:24	Trigger	5	14	79
86	25 Jan 2012 03:35:25	Trigger	5	24	78
87	17 Feb 2012 22:12:16	Trigger	5	27	76
88	17 Feb 2012 22:12:27	Trigger	5	27	75
89	02 Mar 2012 22:02:03	Trigger	5	26	74
90	20 Jan 2000 12:42:42	Trigger	2	18	73
91	20 Mar 2000 11:53:34	Trigger	5	26	72
92	04 Apr 2000 20:12:45	Trigger	5	21	72
93	09 Apr 2000 15:32:22	Trigger	5	24	71
94	09 Apr 2000 15:32:35	Trigger	5	25	71
95	09 Apr 2000 15:32:41	Trigger	5	26	71
96	09 Apr 2000 15:33:05	Trigger	5	26	70
97	01 May 2000 12:08:49	Trigger	5	25	69
98	30 Jun 2000 13:56:45	Trigger	5	25	68
99	30 Jun 2000 13:57:20	Trigger	5	27	68
100	30 Jun 2000 13:58:54	Trigger	5	30	67
101	30 Jun 2000 13:59:13	Trigger	5	30	67
102	01 Jul 2000 09:32:42	Trigger	2	27	66
103	12 Feb 2000 11:52:36	Trigger	5	28	64
104	12 Feb 2000 11:52:47	Trigger	5	28	64
105	04 Jan 2000 20:22:16	Trigger	5	22	63
106	27 Jan 2000 16:19:33	Trigger	5	22	61
107	24 Feb 2000 16:15:43	Trigger	2	19	60
108	27 Feb 2000 16:11:47	Trigger	5	23	60
109	29 Feb 2000 15:05:46	Trigger	5	27	59
110	12 Mar 2000 06:59:54	Trigger	5	23	58
111	13 Mar 2000 10:28:10	Trigger	5	18	58
112	22 Mar 2000 16:30:11	Trigger	5	22	57
113	28 Mar 2000 16:08:36	Trigger	5	24	57
114	29 Mar 2000 16:56:07	Trigger	5	27	56
115	25 Apr 2000 16:24:23	Trigger	5	25	56
116	25 Apr 2000 16:29:06	Trigger	5	27	55
117	25 Apr 2000 16:29:13	Trigger	5	28	55
118	25 Apr 2000 16:29:20	Trigger	5	28	54
119	09 May 2000 16:30:51	Trigger	5	22	54
120	09 May 2000 16:31:37	Trigger	5	24	53

Seq #	Local Time [DD/MM/YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
121	09 May 2000 16:32:30	Trigger	5	26	53
122	15 May 2000 16:08:41	Trigger	4	23	52
123	30 May 2000 20:38:44	Trigger	5	31	51
124	30 May 2000 20:39:23	Trigger	1	31	51
125	27 Jul 2000 04:02:54	Trigger	5	25	50
126	01 Aug 2000 00:52:17	Trigger	5	22	49
127	30 Aug 2000 16:36:44	Trigger	5	26	49
128	06 Dec 2000 16:58:57	Trigger	5	22	45
129	08 Jan 2001 19:10:28	Trigger	5	29	43
130	19 Mar 2001 16:42:45	Trigger	5	26	38
131	20 Mar 2001 16:38:57	Trigger	5	25	37
132	01 May 2001 12:47:37	Trigger	2	27	36
133	08 Jul 2001 12:13:16	Trigger	5	28	35
134	11 Sep 2001 18:04:31	Trigger	5	31	34
135	11 Sep 2001 18:04:39	Trigger	5	31	34
136	11 Sep 2001 18:04:55	Trigger	5	32	33
137	11 Sep 2001 18:05:12	Trigger	5	32	33
138	11 Sep 2001 18:06:09	Trigger	5	33	32
139	11 Sep 2001 18:07:33	Trigger	5	35	32
140	11 Sep 2001 18:07:55	Trigger	5	35	31
141	16 Sep 2001 07:26:20	Trigger	5	23	31
142	16 Sep 2001 07:26:26	Trigger	5	23	31
143	16 Sep 2001 07:26:42	Trigger	5	23	30
144	16 Sep 2001 09:13:43	Trigger	1	24	30
145	16 Sep 2001 09:30:54	Trigger	1	26	30
146	16 Sep 2001 09:30:55	Trigger	1	26	30
147	16 Sep 2001 10:43:15	Trigger	1	23	99
148	16 Sep 2001 10:43:20	Trigger	3	24	99
149	16 Sep 2001 10:43:37	Trigger	1	24	99
150	16 Sep 2001 10:44:15	Trigger	1	23	99
151	16 Sep 2001 11:59:20	Trigger	1	28	99
152	16 Sep 2001 13:23:24	Trigger	5	24	99
153	30 Sep 2001 08:43:32	Trigger	2	23	98
154	30 Sep 2001 08:43:39	Trigger	5	24	98
155	30 Sep 2001 08:43:42	Trigger	3	24	97
156	30 Sep 2001 08:43:48	Trigger	5	25	97
157	03 Sep 2014 09:22:02	Sync	30 Sep 2001 08:44:11 to 03 Sep 2014 09:22:02		
158	03 Sep 2014 11:31:59	Trigger	5	27	97
159	03 Sep 2014 11:32:38	Trigger	5	28	96
160	11 Sep 2014 18:37:23	Trigger	5	30	96
161	20 Sep 2014 18:55:50	Trigger	5	30	94
162	14 Oct 2014 15:20:28	Trigger	5	28	93
163	14 Oct 2014 15:20:40	Trigger	5	28	93
164	14 Oct 2014 15:20:47	Trigger	5	29	92
165	15 Jan 2015 15:38:19	Trigger	5	25	91

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
166	15 Jan 2015 15:38:35	Trigger	4	26	90
167	01 Mar 2015 04:53:57	Trigger	5	21	90
168	14 Jul 2015 18:35:34	Trigger	5	30	87
169	17 Jul 2015 21:28:16	Trigger	4	27	87
170	28 Jul 2015 18:01:05	Trigger	5	29	86
171	17 Oct 2015 16:30:50	Trigger	5	25	85
172	24 Oct 2015 18:07:43	Trigger	5	17	85
173	29 Nov 2015 08:12:26	Sync	29 Nov 2015 08:29:15 to 29 Nov 2015 08:12:26		
174	29 Nov 2015 09:28:56	Trigger	5	22	84
175	29 Nov 2015 09:34:01	Trigger	5	21	83
176	29 Nov 2015 09:34:22	Trigger	5	21	83
177	29 Nov 2015 09:34:29	Trigger	5	22	82
178	29 Nov 2015 10:20:13	Sync	29 Nov 2015 10:20:13 to 29 Nov 2015 10:20:13		
179	29 Nov 2015 11:05:13	Trigger	5	23	82
180	14 Dec 2015 21:00:28	Trigger	5	25	81
181	29 Dec 2015 22:44:57	Trigger	5	25	81
182	11 Jan 2016 04:58:30	Trigger	5	25	81
183	19 Jan 2016 01:48:50	Trigger	5	25	80
184	19 Jan 2016 23:37:47	Trigger	5	27	80
185	26 Jan 2016 01:11:50	Trigger	5	23	79
186	10 Feb 2016 01:17:58	Trigger	5	27	79
187	09 Mar 2016 18:52:28	Trigger	5	23	78
188	10 Mar 2016 01:41:48	Trigger	2	22	78
189	20 Mar 2016 20:02:15	Trigger	5	26	78
190	23 Mar 2016 10:14:08	Trigger	5	24	77
191	23 Mar 2016 10:17:01	Trigger	5	24	77
192	23 Mar 2016 10:20:13	Trigger	5	24	76
193	23 Mar 2016 10:20:35	Trigger	5	25	76
194	23 Mar 2016 10:21:04	Trigger	5	25	75
195	23 Mar 2016 11:17:40	Trigger	5	20	75
196	23 Mar 2016 11:15:01	Sync	23 Mar 2016 11:18:34 to 23 Mar 2016 11:15:01		
197	23 Mar 2016 11:18:30	Trigger	5	25	75
198	04 Apr 2016 05:02:24	Trigger	5	25	74
199	06 Apr 2016 19:26:18	Trigger	5	28	74
200	11 Apr 2016 21:35:54	Trigger	5	27	73
201	23 Apr 2016 18:19:36	Trigger	5	22	73
202	03 May 2016 01:05:33	Trigger	5	27	72
203	17 May 2016 03:13:30	Trigger	5	19	72
204	23 May 2016 21:46:36	Trigger	5	25	71
205	01 Jun 2016 15:59:23	Trigger	5	30	71
206	06 Jun 2016 00:16:41	Trigger	5	25	71
207	17 Jun 2016 21:08:03	Trigger	5	24	70
208	26 Jun 2016 19:10:49	Trigger	5	26	70
209	04 Jul 2016 20:48:07	Trigger	5	23	69
210	11 Jul 2016 19:11:36	Trigger	5	26	69

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
211	07 Aug 2016 22:50:04	Trigger	5	28	68
212	10 Aug 2016 23:59:10	Trigger	5	23	68
213	20 Sep 2016 19:40:26	Trigger	5	28	67
214	25 Sep 2016 21:41:15	Trigger	5	21	67
215	03 Oct 2016 01:35:24	Trigger	5	24	66
216	05 Oct 2016 01:30:15	Trigger	5	26	66
217	17 Oct 2016 18:41:36	Trigger	5	21	65
218	08 Nov 2016 22:45:22	Trigger	5	28	65
219	30 Nov 2016 22:08:37	Trigger	5	23	64
220	11 Dec 2016 18:29:50	Trigger	5	21	63
221	14 Dec 2016 22:18:54	Trigger	5	20	63
222	28 Dec 2016 00:35:32	Trigger	5	23	62
223	03 Jan 2017 03:57:12	Trigger	5	21	62
224	29 Jan 2017 23:25:17	Trigger	5	25	61
225	05 Feb 2017 22:42:00	Trigger	5	22	61
226	14 Feb 2017 05:08:41	Trigger	5	25	61
227	26 Feb 2017 21:53:44	Trigger	5	23	60
228	28 Feb 2017 20:10:38	Trigger	5	21	60
229	21 Mar 2017 22:05:40	Trigger	5	24	59
230	21 Mar 2017 22:05:52	Trigger	5	25	59
231	21 Mar 2017 22:06:11	Trigger	5	25	58
232	29 Mar 2017 10:36:12	Trigger	5	26	58
233	29 Mar 2017 10:25:35	Sync	29 Mar 2017 10:38:40 to 29 Mar 2017 10:25:35		

Deputy McCoy Taser Log

Dep. McCoy



EVIDENCE SYNC

TASER Information

Dept. EVERETT POLICE DEPT.
 Serial X1200466W
 Model TASER X26P
 Firmware Version Rev. 04.020
 Device Name X1200466W
 Health Good

Report Generated by

Name Terpening, Ryan
 Badge ID 1198
 Local Timezone Pacific Standard Time (UTC -0700)
 Generated On 29 Mar 2017 10:08:46

Device (X26P)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	19 Nov 2015 12:31:52	Power Magazine Change	Manufacturing S/N: XXXXX6 Battery capacity: 100%		
2	19 Nov 2015 12:31:52	Firmware Update	FW Bundle, Rev. 04.020, 8/4/2015		
3	19 Nov 2015 12:31:52	Firmware Update	MC, Rev. 04.019, 8/3/2015		
4	19 Nov 2015 12:31:52	Firmware Update	LDR, Rev. 04.013, 12/16/2014		
5	19 Nov 2015 12:31:52	Firmware Update	CAM, Rev. 01.025, 8/4/2015		
6	19 Nov 2015 12:31:52	Armed		27	100
7	19 Nov 2015 12:32:03	Safe	11	29	99
8	19 Nov 2015 12:32:19	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 100%		
9	19 Nov 2015 12:32:19	Armed		29	100
10	19 Nov 2015 12:32:19	Reset	Low Battery Reset		
11	19 Nov 2015 12:40:18	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 100%		
12	19 Nov 2015 12:40:18	Armed		27	100
13	19 Nov 2015 12:40:19	Trigger	5		100
14	19 Nov 2015 12:40:31	Trigger	5		99
15	19 Nov 2015 12:40:37	Trigger	5		99
16	19 Nov 2015 12:40:42	Trigger	5		99
17	19 Nov 2015 12:40:47	Trigger	5		99
18	19 Nov 2015 12:40:53	Trigger	5		99
19	19 Nov 2015 12:40:58	Trigger	5		99

Seq #	Local Time [DD:MM:YYThh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
20	19 Nov 2015 12:41:04	Trigger	5		99
21	19 Nov 2015 12:41:09	Trigger	5		99
22	19 Nov 2015 12:41:14	Trigger	5		99
23	19 Nov 2015 12:41:20	Trigger	5		99
24	19 Nov 2015 12:41:26	Trigger	5		99
25	19 Nov 2015 12:41:33	Safe	75	34	99
26	19 Nov 2015 13:09:48	Power Magazine Change	Standard S/N: 341571 Battery capacity: 61%		
27	19 Nov 2015 13:09:48	Armed		28	61
28	19 Nov 2015 13:09:52	Trigger	5		61
29	19 Nov 2015 13:09:58	Trigger	5		61
30	19 Nov 2015 13:10:09	Safe	21	29	60
31	19 Nov 2015 13:10:35	Power Magazine Change	Standard S/N: 320124 Battery capacity: 91%		
32	19 Nov 2015 13:10:35	Configuration			
33	19 Nov 2015 13:13:25	USB Connected			
34	19 Nov 2015 13:13:53	Firmware Update	MC, Rev. 04.019, 8/3/2015		
35	19 Nov 2015 13:13:53	Firmware Update	LDR, Rev. 04.013, 12/16/2014		
36	19 Nov 2015 13:13:53	Firmware Update	CAM, Rev. 01.025, 8/4/2015		
37	19 Nov 2015 13:13:56	Time Sync	19 Nov 2015 13:13:56 to 19 Nov 2015 13:13:56		
38	10 May 2016 07:24:18	Time Sync	10 May 2016 07:23:51 to 10 May 2016 07:24:18		
39	10 May 2016 14:40:56	Power Magazine Change	Standard S/N: 384485 Battery capacity: 100%		
40	10 May 2016 14:40:56	Armed		26	100
41	10 May 2016 14:40:58	Trigger	5		100
42	10 May 2016 14:41:05	Safe	9	26	99
43	10 May 2016 14:58:48	Armed		27	99
44	10 May 2016 14:58:55	Trigger	5		99
45	10 May 2016 14:59:02	Trigger	5		99
46	10 May 2016 14:59:10	Safe	22	28	99
47	10 May 2016 15:00:12	Armed		28	99
48	10 May 2016 15:00:16	Trigger	5		99
49	10 May 2016 15:00:27	Trigger	5		99

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
50	10 May 2016 15:00:43	Safe	31	30	98
51	10 May 2016 15:19:08	Armed		28	98
52	10 May 2016 15:19:11	Trigger	5		98
53	10 May 2016 15:19:36	Safe	28	29	98
54	10 May 2016 21:04:08	Armed		29	98
55	10 May 2016 21:04:10	Safe	2	29	98
56	10 May 2016 21:04:15	Armed		29	98
57	10 May 2016 21:04:16	Safe	1	29	98
58	10 May 2016 21:04:22	Armed		29	98
59	10 May 2016 21:04:23	Safe	1	29	98
60	10 May 2016 21:05:29	Armed		29	98
61	10 May 2016 21:05:30	Safe	1	29	98
62	10 May 2016 21:05:47	Armed		29	98
63	10 May 2016 21:05:48	Safe	1	30	98
64	11 May 2016 00:50:30	Armed		31	98
65	11 May 2016 00:50:42	Trigger	5		98
66	11 May 2016 00:50:53	Safe	23	32	98
67	11 May 2016 00:51:11	Armed		32	98
68	11 May 2016 00:51:14	Safe	3	31	98
69	11 May 2016 00:51:15	Armed		32	98
70	11 May 2016 00:51:16	Safe	1	32	98
71	11 May 2016 00:51:16	Armed		32	98
72	11 May 2016 00:51:17	Safe	1	32	98
73	11 May 2016 11:07:11	Armed		23	98
74	11 May 2016 11:07:14	Trigger	5		98
75	11 May 2016 11:07:21	Safe	10	23	98
76	11 May 2016 11:07:31	Armed		23	98
77	11 May 2016 11:07:36	Safe	5	23	98
78	14 May 2016 23:23:06	Armed		22	98
79	14 May 2016 23:23:08	Trigger	5		98

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
80	14 May 2016 23:23:19	Safe	13	23	98
81	14 May 2016 23:23:22	Armed		23	98
82	14 May 2016 23:23:25	Safe	3	23	98
83	14 May 2016 23:23:26	Armed		23	98
84	14 May 2016 23:23:30	Safe	4	23	98
85	15 May 2016 09:28:04	Armed		23	98
86	15 May 2016 09:28:05	Trigger	5		98
87	15 May 2016 09:28:10	Safe	6	23	98
88	16 May 2016 09:29:15	Armed		27	98
89	16 May 2016 09:29:16	Trigger	5		98
90	16 May 2016 09:29:22	Safe	7	27	97
91	16 May 2016 13:38:39	Armed		27	97
92	16 May 2016 13:38:49	Safe	10	26	97
93	16 May 2016 22:13:26	Armed		29	97
94	16 May 2016 22:13:27	Safe	1	29	97
95	17 May 2016 09:30:03	Armed		25	97
96	17 May 2016 09:30:04	Trigger	5		97
97	17 May 2016 09:30:11	Safe	8	26	97
98	18 May 2016 13:29:28	Armed		25	97
99	18 May 2016 13:29:30	Trigger	5		97
100	18 May 2016 13:29:35	Safe	7	27	97
101	18 May 2016 16:44:16	Armed		29	97
102	18 May 2016 16:44:17	Trigger	3		97
103	18 May 2016 16:44:20	Safe	4	28	97
104	22 May 2016 13:26:21	Armed		26	97
105	22 May 2016 13:26:22	Trigger	5		97
106	22 May 2016 13:26:29	Safe	8	26	97
107	23 May 2016 09:35:57	Armed		26	97
108	23 May 2016 09:35:57	Trigger	5		97
109	23 May 2016 09:36:03	Safe	6	26	97

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
110	23 May 2016 17:20:25	Armed		26	97
111	23 May 2016 17:20:27	Safe	2	26	97
112	24 May 2016 09:30:01	Armed		26	97
113	24 May 2016 09:30:03	Trigger	5		97
114	24 May 2016 09:30:09	Safe	8	25	97
115	24 May 2016 12:36:35	Armed		28	97
116	24 May 2016 12:36:43	Safe	8	29	97
117	29 May 2016 13:24:49	Armed		26	97
118	29 May 2016 13:24:50	Trigger	5		97
119	29 May 2016 13:24:56	Safe	7	26	96
120	30 May 2016 13:30:15	Armed		23	96
121	30 May 2016 13:30:16	Trigger	5		96
122	30 May 2016 13:30:21	Safe	6	22	96
123	31 May 2016 13:34:45	Armed		23	96
124	31 May 2016 13:34:46	Trigger	4		96
125	31 May 2016 13:34:51	Safe	6	23	96
126	01 Jun 2016 13:36:41	Armed		24	96
127	01 Jun 2016 13:36:41	Trigger	4		96
128	01 Jun 2016 13:36:45	Safe	4	24	96
129	05 Jun 2016 13:24:03	Armed		22	96
130	05 Jun 2016 13:24:03	Trigger	4		96
131	05 Jun 2016 13:24:07	Safe	4	23	96
132	06 Jun 2016 13:36:19	Armed		24	96
133	06 Jun 2016 13:36:19	Trigger	5		96
134	06 Jun 2016 13:36:25	Safe	6	25	96
135	06 Jun 2016 16:11:42	Armed		34	96
136	06 Jun 2016 16:11:45	Safe	3	35	96
137	06 Jun 2016 16:11:50	Armed		35	96
138	06 Jun 2016 16:11:53	Trigger	5		96
139	06 Jun 2016 16:11:58	Safe	8	34	96

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
140	06 Jun 2016 17:55:53	Armed		32	96
141	06 Jun 2016 17:55:55	Safe	2	32	96
142	06 Jun 2016 17:56:23	Armed		31	96
143	06 Jun 2016 17:56:25	Safe	2	31	96
144	07 Jun 2016 13:43:51	Armed		24	96
145	07 Jun 2016 13:43:52	Trigger	5		96
146	07 Jun 2016 13:43:57	Safe	6	24	96
147	12 Jun 2016 13:45:19	Armed		25	96
148	12 Jun 2016 13:45:19	Trigger	2		96
149	12 Jun 2016 13:45:21	Safe	2	25	96
150	13 Jun 2016 13:41:41	Armed		26	96
151	13 Jun 2016 13:41:41	Trigger	5		96
152	13 Jun 2016 13:41:48	Safe	7	26	95
153	14 Jun 2016 13:48:08	Armed		25	95
154	14 Jun 2016 13:48:09	Trigger	5		95
155	14 Jun 2016 13:48:14	Safe	6	25	95
156	14 Jun 2016 20:16:32	Armed		26	95
157	14 Jun 2016 20:16:34	Safe	2	26	95
158	14 Jun 2016 23:25:20	Armed		28	95
159	14 Jun 2016 23:25:31	Safe	11	30	95
160	15 Jun 2016 13:48:09	Armed		25	95
161	15 Jun 2016 13:48:09	Trigger	5		95
162	15 Jun 2016 13:48:15	Safe	6	25	95
163	19 Jun 2016 13:48:11	Armed		25	95
164	19 Jun 2016 13:48:12	Trigger	5		95
165	19 Jun 2016 13:48:18	Safe	7	25	95
166	19 Jun 2016 21:47:23	Armed		26	95
167	19 Jun 2016 21:47:25	Safe	2	26	95
168	20 Jun 2016 13:48:25	Armed		26	95
169	20 Jun 2016 13:48:25	Trigger	5		95

Seq #	Local Time [DD:MM:YY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
170	20 Jun 2016 13:48:31	Safe	6	27	95
171	20 Jun 2016 15:10:32	Armed		30	95
172	20 Jun 2016 15:10:55	Safe	23	32	95
173	20 Jun 2016 15:16:06	Armed		31	95
174	20 Jun 2016 15:16:19	Safe	13	32	95
175	20 Jun 2016 15:36:26	Armed		30	95
176	20 Jun 2016 15:36:29	Safe	3	30	95
177	20 Jun 2016 15:36:43	Armed		30	95
178	20 Jun 2016 15:36:43	Safe	0	30	95
179	21 Jun 2016 13:43:18	Armed		25	95
180	21 Jun 2016 13:43:20	Trigger	5		95
181	21 Jun 2016 13:43:25	Safe	7	26	95
182	26 Jun 2016 13:50:41	Armed		26	95
183	26 Jun 2016 13:50:42	Trigger	5		95
184	26 Jun 2016 13:50:47	Safe	6	26	94
185	26 Jun 2016 23:43:16	Armed		25	94
186	26 Jun 2016 23:43:17	Safe	1	25	94
187	27 Jun 2016 13:48:08	Armed		26	94
188	27 Jun 2016 13:48:09	Trigger	5		94
189	27 Jun 2016 13:48:14	Safe	6	26	94
190	28 Jun 2016 13:49:28	Armed		26	94
191	28 Jun 2016 13:49:28	Trigger	5		94
192	28 Jun 2016 13:49:34	Safe	6	26	94
193	29 Jun 2016 13:52:02	Armed		25	94
194	29 Jun 2016 13:52:02	Trigger	5		94
195	29 Jun 2016 13:52:08	Safe	6	26	94
196	03 Jul 2016 13:44:39	Armed		23	94
197	03 Jul 2016 13:44:41	Trigger	5		94
198	03 Jul 2016 13:44:46	Safe	7	25	94
199	03 Jul 2016 22:09:06	Armed		28	94

Seq #	Local Time [dd:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
200	03 Jul 2016 22:09:12	Trigger	4		94
201	03 Jul 2016 22:09:16	Safe	10	29	94
202	10 Jul 2016 13:52:22	Armed		22	94
203	10 Jul 2016 13:52:22	Trigger	5		94
204	10 Jul 2016 13:52:28	Safe	6	23	94
205	11 Jul 2016 13:48:38	Armed		26	94
206	11 Jul 2016 13:48:38	Trigger	5		94
207	11 Jul 2016 13:48:44	Safe	6	26	94
208	17 Jul 2016 22:32:10	Armed		29	94
209	17 Jul 2016 22:32:11	Safe	1	29	94
210	17 Jul 2016 22:32:32	Armed		30	94
211	17 Jul 2016 22:32:38	Safe	6	30	94
212	17 Jul 2016 22:37:20	Armed		29	94
213	17 Jul 2016 22:37:25	Safe	5	28	94
214	18 Jul 2016 16:46:18	Armed		28	94
215	18 Jul 2016 16:46:19	Safe	1	28	94
216	25 Jul 2016 13:35:11	Armed		25	94
217	25 Jul 2016 13:35:12	Trigger	5		94
218	25 Jul 2016 13:35:17	Safe	6	26	93
219	25 Jul 2016 19:33:02	Armed		29	93
220	25 Jul 2016 19:33:20	Safe	18	30	93
221	26 Jul 2016 13:38:04	Armed		23	93
222	26 Jul 2016 13:38:05	Safe	1	22	93
223	26 Jul 2016 21:41:55	Armed		28	93
224	26 Jul 2016 21:41:56	Safe	1	28	93
225	26 Jul 2016 23:23:25	Armed		27	93
226	26 Jul 2016 23:23:26	Safe	1	27	93
227	31 Jul 2016 13:40:45	Armed		23	93
228	31 Jul 2016 13:40:45	Trigger	5		93
229	31 Jul 2016 13:40:50	Safe	5	24	93

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
230	01 Aug 2016 19:52:59	Armed		28	93
231	01 Aug 2016 19:53:04	Safe	5	28	93
232	01 Aug 2016 22:55:07	Armed		28	93
233	01 Aug 2016 22:55:07	Trigger	3		93
234	01 Aug 2016 22:55:10	Safe	3	28	93
235	08 Aug 2016 13:38:49	Armed		23	93
236	08 Aug 2016 13:38:50	Trigger	5		93
237	08 Aug 2016 13:38:55	Safe	6	24	93
238	08 Aug 2016 20:09:36	Armed		29	93
239	08 Aug 2016 20:09:37	Safe	1	29	93
240	08 Aug 2016 20:11:00	Armed		29	93
241	08 Aug 2016 20:11:01	Safe	1	29	93
242	14 Aug 2016 20:27:06	Armed		29	93
243	14 Aug 2016 20:27:07	Safe	1	29	93
244	14 Aug 2016 23:18:42	Armed		28	93
245	14 Aug 2016 23:18:44	Safe	2	27	93
246	15 Aug 2016 15:57:23	Armed		29	93
247	15 Aug 2016 15:57:25	Safe	2	29	93
248	15 Aug 2016 15:58:09	Armed		30	93
249	15 Aug 2016 15:58:11	Safe	2	30	93
250	15 Aug 2016 16:20:08	Armed		32	93
251	15 Aug 2016 16:20:08	Trigger	5		93
252	15 Aug 2016 16:20:14	Safe	6	32	93
253	15 Aug 2016 23:58:09	Armed		26	93
254	15 Aug 2016 23:58:13	Safe	4	26	93
255	16 Aug 2016 13:38:12	Armed		25	93
256	16 Aug 2016 13:38:13	Trigger	1		93
257	16 Aug 2016 13:38:14	Safe	2	25	93
258	16 Aug 2016 23:12:07	Armed		27	93
259	16 Aug 2016 23:12:28	Safe	21	27	93

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
260	16 Aug 2016 23:12:38	Armed		28	93
261	16 Aug 2016 23:12:47	Safe	9	28	93
262	17 Aug 2016 01:52:23	Armed		27	93
263	17 Aug 2016 01:52:23	Safe	0	26	93
264	17 Aug 2016 23:05:37	Armed		20	93
265	17 Aug 2016 23:05:39	Safe	2	21	93
266	17 Aug 2016 23:05:41	Armed		20	93
267	17 Aug 2016 23:05:43	Trigger	5		93
268	17 Aug 2016 23:06:01	Safe	20	22	93
269	17 Aug 2016 23:06:05	Armed		22	93
270	17 Aug 2016 23:06:06	Safe	1	22	93
271	23 Aug 2016 13:42:47	Armed		25	93
272	23 Aug 2016 13:42:47	Trigger	5		93
273	23 Aug 2016 13:42:53	Safe	6	25	92
274	24 Aug 2016 00:40:33	Armed		27	92
275	24 Aug 2016 00:40:38	Safe	5	25	92
276	24 Aug 2016 00:42:54	Armed		26	92
277	24 Aug 2016 00:42:55	Safe	1	26	92
278	24 Aug 2016 00:42:55	Armed		26	92
279	24 Aug 2016 00:42:56	Safe	1	26	92
280	24 Aug 2016 00:42:56	Armed		26	92
281	24 Aug 2016 00:42:57	Safe	1	26	92
282	24 Aug 2016 00:42:59	Armed		26	92
283	24 Aug 2016 00:42:59	Safe	0	26	92
284	24 Aug 2016 00:42:59	Armed		26	92
285	24 Aug 2016 00:43:01	Safe	2	26	92
286	24 Aug 2016 00:43:01	Armed		26	92
287	24 Aug 2016 00:43:03	Safe	2	26	92
288	24 Aug 2016 00:50:43	Armed		26	92
289	24 Aug 2016 00:50:54	Safe	11	25	92

Seq #	Local Time [DD:MM:YYYY:hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt. Remaining [%]
290	24 Aug 2016 13:43:30	Armed		24	92
291	24 Aug 2016 13:43:31	Trigger	5		92
292	24 Aug 2016 13:43:36	Safe	6	24	92
293	24 Aug 2016 20:42:26	Armed		28	92
294	24 Aug 2016 20:42:30	Safe	4	28	92
295	24 Aug 2016 20:43:08	Armed		29	92
296	24 Aug 2016 20:43:09	Safe	1	29	92
297	24 Aug 2016 23:08:23	Armed		29	92
298	24 Aug 2016 23:09:33	Safe	70	33	92
299	28 Aug 2016 13:45:26	Armed		23	92
300	28 Aug 2016 13:45:26	Trigger	5		92
301	28 Aug 2016 13:45:31	Safe	5	23	92
302	29 Aug 2016 20:41:09	Armed		28	92
303	29 Aug 2016 20:41:12	Safe	3	28	92
304	30 Aug 2016 13:22:55	Armed		25	92
305	30 Aug 2016 13:22:56	Safe	1	25	92
306	30 Aug 2016 17:03:23	Armed		28	92
307	30 Aug 2016 17:03:29	Safe	6	28	92
308	30 Aug 2016 18:30:01	Armed		27	92
309	30 Aug 2016 18:30:04	Safe	3	27	92
310	31 Aug 2016 23:16:39	Armed		22	92
311	31 Aug 2016 23:16:41	Trigger	5		92
312	31 Aug 2016 23:16:46	Safe	7	23	92
313	31 Aug 2016 23:16:47	Armed		24	92
314	31 Aug 2016 23:16:57	Safe	10	24	92
315	31 Aug 2016 23:17:22	Armed		23	92
316	31 Aug 2016 23:17:23	Safe	1	24	92
317	31 Aug 2016 23:17:24	Armed		24	92
318	31 Aug 2016 23:17:24	Safe	0	23	92
319	31 Aug 2016 23:17:25	Armed		24	92

Seq #	Local Time [DD:MM/YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
320	31 Aug 2016 23:17:25	Safe	0	24	92
321	31 Aug 2016 23:17:48	Armed		24	92
322	31 Aug 2016 23:18:02	Safe	14	24	92
323	04 Sep 2016 13:34:15	Armed		22	92
324	04 Sep 2016 13:34:15	Trigger	5		92
325	04 Sep 2016 13:34:21	Safe	6	23	92
326	05 Sep 2016 01:27:12	Armed		25	92
327	05 Sep 2016 01:27:13	Safe	1	26	92
328	07 Sep 2016 13:41:50	Armed		25	92
329	07 Sep 2016 13:41:51	Safe	1	25	92
330	07 Sep 2016 21:13:47	Armed		27	92
331	07 Sep 2016 21:13:51	Safe	4	27	92
332	07 Sep 2016 22:00:43	Armed		25	92
333	07 Sep 2016 22:00:46	Safe	3	24	92
334	08 Sep 2016 00:12:32	Armed		23	92
335	08 Sep 2016 00:19:09	Safe	397	35	91
336	08 Sep 2016 00:21:31	Armed		30	91
337	08 Sep 2016 00:21:44	Safe	13	30	91
338	08 Sep 2016 00:21:49	Armed		30	91
339	08 Sep 2016 00:22:52	Safe	63	33	91
340	08 Sep 2016 00:22:57	Armed		32	91
341	08 Sep 2016 00:24:55	Safe	118	36	91
342	08 Sep 2016 01:32:22	Armed		25	91
343	08 Sep 2016 01:32:24	Safe	2	25	91
344	25 Sep 2016 13:32:06	Armed		23	91
345	25 Sep 2016 13:32:07	Safe	1	24	91
346	25 Sep 2016 13:32:19	Armed		24	91
347	25 Sep 2016 13:32:21	Trigger	5		91
348	25 Sep 2016 13:32:27	Safe	8	25	90
349	25 Sep 2016 17:38:54	Armed		29	90

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
350	25 Sep 2016 17:38:58	Trigger	5		90
351	25 Sep 2016 17:39:04	Safe	10	31	90
352	25 Sep 2016 17:45:54	Armed		29	90
353	25 Sep 2016 17:46:07	Safe	13	30	90
354	26 Sep 2016 13:29:39	Armed		25	90
355	26 Sep 2016 13:29:40	Trigger	5		90
356	26 Sep 2016 13:29:45	Safe	6	25	90
357	27 Sep 2016 02:10:55	Armed		29	90
358	27 Sep 2016 02:10:58	Safe	3	28	90
359	27 Sep 2016 02:10:59	Armed		28	90
360	27 Sep 2016 02:11:01	Safe	2	29	90
361	27 Sep 2016 13:38:47	Armed		24	90
362	27 Sep 2016 13:38:48	Trigger	5		90
363	27 Sep 2016 13:38:53	Safe	6	26	90
364	02 Oct 2016 13:32:16	Armed		24	90
365	02 Oct 2016 13:32:16	Trigger	5		90
366	02 Oct 2016 13:32:22	Safe	6	25	90
367	03 Oct 2016 13:37:20	Armed		24	90
368	03 Oct 2016 13:37:20	Trigger	5		90
369	03 Oct 2016 13:37:26	Safe	6	25	90
370	03 Oct 2016 14:35:19	Armed		25	90
371	03 Oct 2016 14:35:28	Safe	9	25	90
372	03 Oct 2016 18:21:08	Armed		29	90
373	03 Oct 2016 18:21:09	Safe	1	29	90
374	03 Oct 2016 20:06:20	Armed		25	90
375	03 Oct 2016 20:06:21	Safe	1	24	90
376	04 Oct 2016 13:34:08	Armed		25	90
377	04 Oct 2016 13:34:08	Trigger	5		90
378	04 Oct 2016 13:34:14	Safe	6	25	89
379	04 Oct 2016 18:57:49	Armed		26	89

Seq #	Local Time [DDMM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
380	04 Oct 2016 18:57:53	Trigger	3		89
381	04 Oct 2016 18:57:56	Safe	7	26	89
382	04 Oct 2016 18:57:59	Armed		26	89
383	04 Oct 2016 18:58:06	Safe	7	27	89
384	04 Oct 2016 19:00:18	Armed		26	89
385	04 Oct 2016 19:00:20	Trigger	2		89
386	04 Oct 2016 19:00:22	Safe	4	25	89
387	04 Oct 2016 19:00:24	Armed		26	89
388	04 Oct 2016 19:00:36	Trigger	1		89
389	04 Oct 2016 19:00:37	Safe	13	27	89
390	04 Oct 2016 19:00:39	Armed		27	89
391	04 Oct 2016 19:00:39	Safe	0	27	89
392	04 Oct 2016 19:06:43	Armed		26	89
393	04 Oct 2016 19:06:45	Safe	2	26	89
394	04 Oct 2016 21:03:12	Armed		29	89
395	04 Oct 2016 21:03:14	Safe	2	28	89
396	04 Oct 2016 22:11:55	Armed		27	89
397	04 Oct 2016 22:11:56	Safe	1	27	89
398	04 Oct 2016 22:12:58	Armed		27	89
399	04 Oct 2016 22:13:27	Safe	29	28	89
400	04 Oct 2016 22:13:27	Armed		28	89
401	04 Oct 2016 22:13:28	Safe	1	28	89
402	04 Oct 2016 22:13:44	Armed		29	89
403	04 Oct 2016 22:13:47	Safe	3	29	89
404	04 Oct 2016 22:13:56	Armed		29	89
405	04 Oct 2016 22:14:00	Safe	4	29	89
406	04 Oct 2016 22:14:01	Armed		29	89
407	04 Oct 2016 22:14:15	Safe	14	28	89
408	04 Oct 2016 22:14:15	Armed		29	89
409	04 Oct 2016 22:14:16	Safe	1	28	89

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
410	04 Oct 2016 22:14:19	Armed		29	89
411	04 Oct 2016 22:14:20	Safe	1	29	89
412	04 Oct 2016 22:24:16	Armed		25	89
413	04 Oct 2016 22:24:17	Safe	1	25	89
414	05 Oct 2016 02:19:49	Armed		26	89
415	05 Oct 2016 02:19:56	Safe	7	26	89
416	05 Oct 2016 13:36:36	Armed		24	89
417	05 Oct 2016 13:36:36	Trigger	5		89
418	05 Oct 2016 13:36:42	Safe	6	24	89
419	05 Oct 2016 15:29:26	Armed		27	89
420	05 Oct 2016 15:29:29	Safe	3	27	89
421	09 Oct 2016 13:36:38	Armed		24	89
422	09 Oct 2016 13:36:39	Trigger	5		89
423	09 Oct 2016 13:36:44	Safe	6	25	89
424	09 Oct 2016 23:40:23	Armed		26	89
425	09 Oct 2016 23:40:25	Safe	2	26	89
426	09 Oct 2016 23:40:29	Armed		26	89
427	09 Oct 2016 23:40:30	Safe	1	26	89
428	09 Oct 2016 23:40:31	Armed		26	89
429	09 Oct 2016 23:40:32	Safe	1	26	89
430	09 Oct 2016 23:40:34	Armed		26	89
431	09 Oct 2016 23:40:41	Safe	7	26	89
432	09 Oct 2016 23:40:41	Armed		27	89
433	09 Oct 2016 23:40:44	Safe	3	27	89
434	09 Oct 2016 23:40:47	Armed		26	89
435	09 Oct 2016 23:40:54	Safe	7	27	89
436	09 Oct 2016 23:41:17	Armed		27	89
437	09 Oct 2016 23:41:19	Safe	2	27	89
438	10 Oct 2016 13:36:59	Armed		24	89
439	10 Oct 2016 13:36:59	Trigger	5		89

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
440	10 Oct 2016 13:37:05	Safe	6	25	89
441	10 Oct 2016 21:28:39	Armed		25	89
442	10 Oct 2016 21:28:53	Safe	14	26	89
443	10 Oct 2016 21:29:33	Armed		26	89
444	10 Oct 2016 21:29:40	Safe	7	26	89
445	11 Oct 2016 13:36:53	Armed		23	89
446	11 Oct 2016 13:36:54	Trigger	5		89
447	11 Oct 2016 13:37:00	Safe	7	23	89
448	11 Oct 2016 20:36:08	Armed		30	89
449	11 Oct 2016 20:36:11	Safe	3	31	89
450	11 Oct 2016 20:50:04	Armed		27	89
451	11 Oct 2016 20:50:05	Safe	1	26	89
452	16 Oct 2016 13:35:48	Armed		25	89
453	16 Oct 2016 13:35:49	Safe	1	25	89
454	16 Oct 2016 16:33:13	Armed		31	89
455	16 Oct 2016 16:33:15	Trigger	4		89
456	16 Oct 2016 16:33:19	Safe	6	31	88
457	16 Oct 2016 16:33:21	Armed		31	88
458	16 Oct 2016 16:33:29	Safe	8	31	88
459	16 Oct 2016 16:35:21	Armed		31	88
460	16 Oct 2016 16:35:25	Safe	4	32	88
461	16 Oct 2016 16:37:00	Armed		31	88
462	16 Oct 2016 16:37:04	Safe	4	31	88
463	16 Oct 2016 16:41:31	Armed		31	88
464	16 Oct 2016 16:41:32	Safe	1	31	88
465	17 Oct 2016 17:31:12	Armed		25	88
466	17 Oct 2016 17:31:13	Safe	1	24	88
467	24 Oct 2016 13:47:35	Armed		24	88
468	24 Oct 2016 13:47:35	Trigger	5		88
469	24 Oct 2016 13:47:41	Safe	6	24	88

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
470	25 Oct 2016 01:15:24	Armed		30	88
471	25 Oct 2016 01:15:30	Safe	6	29	88
472	25 Oct 2016 01:15:33	Armed		30	88
473	25 Oct 2016 01:15:34	Safe	1	29	88
474	25 Oct 2016 01:52:05	Armed		29	88
475	25 Oct 2016 01:52:05	Safe	0	29	88
476	25 Oct 2016 01:52:50	Armed		29	88
477	25 Oct 2016 01:52:51	Safe	1	29	88
478	25 Oct 2016 01:52:52	Armed		29	88
479	25 Oct 2016 01:52:52	Safe	0	29	88
480	25 Oct 2016 01:52:52	Armed		29	88
481	25 Oct 2016 01:52:53	Safe	1	29	88
482	25 Oct 2016 01:52:53	Armed		29	88
483	25 Oct 2016 01:52:53	Safe	0	29	88
484	25 Oct 2016 13:36:33	Armed		25	88
485	25 Oct 2016 13:36:34	Safe	1	25	88
486	25 Oct 2016 13:46:35	Armed		25	88
487	25 Oct 2016 13:46:36	Safe	1	25	88
488	25 Oct 2016 18:14:31	Armed		29	88
489	25 Oct 2016 18:14:32	Safe	1	28	88
490	25 Oct 2016 22:08:01	Armed		28	88
491	25 Oct 2016 22:08:02	Safe	1	28	88
492	25 Oct 2016 22:08:03	Armed		27	88
493	25 Oct 2016 22:08:06	Safe	3	28	88
494	25 Oct 2016 22:27:21	Armed		29	88
495	25 Oct 2016 22:27:29	Safe	8	30	88
496	30 Oct 2016 13:41:04	Armed		25	88
497	30 Oct 2016 13:41:05	Safe	1	24	88
498	30 Oct 2016 13:41:05	Armed		24	88
499	30 Oct 2016 13:41:06	Trigger	5		88

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
500	30 Oct 2016 13:41:11	Safe	6	25	88
501	31 Oct 2016 13:40:45	Armed		24	88
502	31 Oct 2016 13:40:45	Trigger	5		88
503	31 Oct 2016 13:40:51	Safe	6	24	88
504	31 Oct 2016 19:40:59	Armed		28	88
505	31 Oct 2016 19:41:05	Safe	6	29	88
506	01 Nov 2016 13:43:38	Armed		24	88
507	01 Nov 2016 13:43:39	Safe	1	23	88
508	01 Nov 2016 22:18:26	Armed		27	88
509	01 Nov 2016 22:18:27	Safe	1	26	88
510	01 Nov 2016 22:18:31	Armed		26	88
511	01 Nov 2016 22:18:32	Safe	1	26	88
512	02 Nov 2016 13:35:57	Armed		24	88
513	02 Nov 2016 13:35:57	Safe	0	24	88
514	02 Nov 2016 18:26:59	Armed		31	88
515	02 Nov 2016 18:27:07	Safe	8	31	88
516	02 Nov 2016 18:44:19	Armed		28	88
517	02 Nov 2016 18:44:21	Safe	2	28	88
518	06 Nov 2016 11:52:10	Armed		23	88
519	06 Nov 2016 11:52:10	Trigger	5		88
520	06 Nov 2016 11:52:16	Safe	6	23	88
521	07 Nov 2016 13:44:36	Armed		24	88
522	07 Nov 2016 13:44:36	Safe	0	24	88
523	07 Nov 2016 20:34:07	Armed		27	88
524	07 Nov 2016 20:34:09	Safe	2	26	88
525	07 Nov 2016 20:34:11	Armed		26	88
526	07 Nov 2016 20:34:17	Safe	6	26	88
527	07 Nov 2016 20:34:32	Armed		27	88
528	07 Nov 2016 20:34:35	Safe	3	27	88
529	07 Nov 2016 20:35:43	Armed		27	88

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
530	07 Nov 2016 20:35:48	Safe	5	27	88
531	08 Nov 2016 02:09:10	Armed		26	88
532	08 Nov 2016 02:09:16	Safe	6	27	88
533	08 Nov 2016 02:09:17	Armed		27	88
534	08 Nov 2016 02:09:20	Safe	3	27	88
535	08 Nov 2016 13:49:08	Armed		24	88
536	08 Nov 2016 13:49:09	Safe	1	24	88
537	08 Nov 2016 14:05:42	Armed		26	88
538	08 Nov 2016 14:05:43	Safe	1	26	88
539	10 Nov 2016 18:01:22	Armed		25	88
540	10 Nov 2016 18:01:24	Trigger	5		88
541	10 Nov 2016 18:01:36	Safe	14	26	88
542	13 Nov 2016 13:47:39	Armed		24	88
543	13 Nov 2016 13:47:39	Safe	0	23	88
544	13 Nov 2016 13:47:40	Armed		24	88
545	13 Nov 2016 13:47:40	Safe	0	24	88
546	14 Nov 2016 13:41:12	Armed		24	88
547	14 Nov 2016 13:41:13	Safe	1	24	88
548	14 Nov 2016 21:27:32	Armed		26	88
549	14 Nov 2016 21:27:43	Safe	11	26	88
550	14 Nov 2016 22:35:13	Armed		24	88
551	14 Nov 2016 22:35:14	Safe	1	24	88
552	15 Nov 2016 13:40:04	Armed		23	88
553	15 Nov 2016 13:40:05	Trigger	5		88
554	15 Nov 2016 13:40:10	Safe	6	25	87
555	15 Nov 2016 21:49:11	Armed		26	87
556	15 Nov 2016 21:49:13	Safe	2	27	87
557	15 Nov 2016 21:49:24	Armed		27	87
558	15 Nov 2016 21:49:24	Safe	0	27	87
559	16 Nov 2016 13:45:29	Armed		23	87

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
560	16 Nov 2016 13:45:29	Safe	0	23	87
561	21 Nov 2016 13:44:28	Armed		24	87
562	21 Nov 2016 13:44:29	Trigger	5		87
563	21 Nov 2016 13:44:34	Safe	6	25	87
564	22 Nov 2016 13:43:49	Armed		23	87
565	22 Nov 2016 13:43:49	Trigger	5		87
566	22 Nov 2016 13:43:54	Safe	5	23	87
567	22 Nov 2016 23:40:53	Armed		23	87
568	22 Nov 2016 23:40:54	Safe	1	23	87
569	28 Nov 2016 13:39:50	Armed		24	87
570	28 Nov 2016 13:39:50	Safe	0	24	87
571	28 Nov 2016 22:23:35	Armed		26	87
572	28 Nov 2016 22:23:36	Safe	1	27	87
573	28 Nov 2016 22:23:42	Armed		27	87
574	28 Nov 2016 22:23:46	Safe	4	27	87
575	28 Nov 2016 22:23:48	Armed		27	87
576	28 Nov 2016 22:23:51	Trigger	5		87
577	28 Nov 2016 22:24:05	Safe	17	28	87
578	28 Nov 2016 22:24:18	Armed		28	87
579	28 Nov 2016 22:24:19	Safe	1	29	87
580	28 Nov 2016 22:24:19	Armed		29	87
581	28 Nov 2016 22:24:20	Safe	1	28	87
582	28 Nov 2016 22:24:21	Armed		29	87
583	28 Nov 2016 22:24:22	Safe	1	28	87
584	28 Nov 2016 22:24:23	Armed		28	87
585	28 Nov 2016 22:24:24	Safe	1	28	87
586	28 Nov 2016 22:24:29	Armed		28	87
587	28 Nov 2016 22:24:29	Trigger	2		87
588	28 Nov 2016 22:24:31	Safe	2	28	87
589	29 Nov 2016 13:38:57	Armed		24	87

Seq. #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
590	29 Nov 2016 13:38:57	Safe	0	24	87
591	30 Nov 2016 21:59:35	Armed		27	87
592	30 Nov 2016 21:59:39	Safe	4	28	87
593	06 Dec 2016 13:46:12	Armed		23	87
594	06 Dec 2016 13:46:15	Safe	3	22	87
595	06 Dec 2016 20:57:09	Armed		28	87
596	06 Dec 2016 20:57:10	Safe	1	28	87
597	12 Dec 2016 13:46:17	Armed		24	87
598	12 Dec 2016 13:46:18	Safe	1	24	87
599	12 Dec 2016 13:54:22	Armed		25	87
600	12 Dec 2016 13:54:37	Safe	15	25	87
601	12 Dec 2016 13:54:39	Armed		26	87
602	12 Dec 2016 13:54:41	Safe	2	26	87
603	12 Dec 2016 21:30:01	Armed		28	87
604	12 Dec 2016 21:30:02	Safe	1	29	87
605	13 Dec 2016 15:08:06	Armed		27	87
606	13 Dec 2016 15:08:06	Safe	0	26	87
607	13 Dec 2016 15:08:09	Armed		27	87
608	13 Dec 2016 15:08:10	Safe	1	26	87
609	18 Dec 2016 13:38:50	Armed		26	87
610	18 Dec 2016 13:38:51	Safe	1	25	87
611	18 Dec 2016 23:28:15	Armed		27	87
612	18 Dec 2016 23:28:16	Safe	1	28	87
613	20 Dec 2016 13:48:03	Armed		24	87
614	20 Dec 2016 13:48:04	Trigger	4		87
615	20 Dec 2016 13:48:08	Safe	5	24	87
616	20 Dec 2016 23:04:51	Armed		30	87
617	20 Dec 2016 23:04:55	Safe	4	30	87
618	21 Dec 2016 01:21:10	Armed		18	87
619	21 Dec 2016 01:21:59	Safe	49	21	87

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
620	21 Dec 2016 01:22:27	Armed		21	87
621	21 Dec 2016 01:22:29	Safe	2	21	87
622	21 Dec 2016 01:22:30	Armed		21	87
623	21 Dec 2016 01:22:34	Safe	4	21	87
624	01 Jan 2017 11:40:17	Armed		23	87
625	01 Jan 2017 11:40:19	Trigger	5		87
626	01 Jan 2017 11:40:25	Safe	8	23	87
627	01 Jan 2017 18:59:51	Armed		29	87
628	01 Jan 2017 18:59:51	Safe	0	28	87
629	01 Jan 2017 23:24:58	Armed		27	87
630	01 Jan 2017 23:25:04	Safe	6	28	87
631	02 Jan 2017 13:42:12	Armed		25	87
632	02 Jan 2017 13:42:13	Safe	1	25	87
633	03 Jan 2017 13:48:02	Armed		25	87
634	03 Jan 2017 13:48:03	Safe	1	26	87
635	03 Jan 2017 19:13:59	Armed		23	87
636	03 Jan 2017 19:14:00	Safe	1	23	87
637	08 Jan 2017 13:50:46	Armed		23	87
638	08 Jan 2017 13:50:47	Trigger	5		87
639	08 Jan 2017 13:50:52	Safe	6	23	86
640	10 Jan 2017 01:53:00	Armed		23	86
641	10 Jan 2017 01:53:01	Safe	1	22	86
642	16 Jan 2017 20:31:07	Armed		28	86
643	16 Jan 2017 20:31:11	Safe	4	27	86
644	17 Jan 2017 13:35:18	Armed		23	86
645	17 Jan 2017 13:35:18	Safe	0	23	86
646	18 Jan 2017 00:09:30	Armed		26	86
647	18 Jan 2017 00:09:31	Trigger	5		86
648	18 Jan 2017 00:09:36	Safe	6	26	86
649	18 Jan 2017 01:53:40	Armed		25	86

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
650	18 Jan 2017 01:53:46	Safe	6	24	86
651	18 Jan 2017 01:54:09	Armed		25	86
652	18 Jan 2017 01:54:12	Safe	3	25	86
653	18 Jan 2017 01:54:20	Armed		25	86
654	18 Jan 2017 01:54:23	Safe	3	25	86
655	18 Jan 2017 01:56:30	Armed		24	86
656	18 Jan 2017 01:56:33	Safe	3	24	86
657	18 Jan 2017 01:57:51	Armed		24	86
658	18 Jan 2017 01:57:51	Trigger	1		86
659	18 Jan 2017 01:57:52	Safe	1	24	86
660	18 Jan 2017 01:58:34	Armed		23	86
661	18 Jan 2017 01:58:36	Safe	2	24	86
662	21 Jan 2017 22:09:30	Armed		23	86
663	21 Jan 2017 22:09:30	Trigger	3		86
664	21 Jan 2017 22:09:33	Safe	3	23	86
665	24 Jan 2017 13:42:40	Armed		23	86
666	24 Jan 2017 13:42:40	Safe	0	22	86
667	24 Jan 2017 18:23:17	Armed		28	86
668	24 Jan 2017 18:23:18	Safe	1	27	86
669	25 Jan 2017 03:59:19	Armed		28	86
670	25 Jan 2017 03:59:20	Safe	1	28	86
671	29 Jan 2017 13:34:46	Armed		24	86
672	29 Jan 2017 13:34:47	Safe	1	23	86
673	29 Jan 2017 23:05:26	Armed		28	86
674	29 Jan 2017 23:05:26	Safe	0	28	86
675	29 Jan 2017 23:46:19	Armed		25	86
676	29 Jan 2017 23:46:21	Safe	2	25	86
677	30 Jan 2017 16:03:41	Armed		24	86
678	30 Jan 2017 16:03:43	Safe	2	25	86
679	30 Jan 2017 19:35:08	Armed		26	86

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
680	30 Jan 2017 19:35:10	Safe	2	26	86
681	03 Feb 2017 17:31:09	Armed		21	86
682	05 Feb 2017 17:31:09	Trigger	5		86
683	05 Feb 2017 17:31:15	Safe	6	22	86
684	06 Feb 2017 00:57:58	Armed		24	86
685	06 Feb 2017 00:58:03	Safe	5	24	86
686	08 Feb 2017 17:37:33	Armed		22	86
687	06 Feb 2017 17:37:34	Trigger	5		86
688	06 Feb 2017 17:37:39	Safe	6	21	86
689	07 Feb 2017 17:37:23	Armed		21	86
690	07 Feb 2017 17:37:23	Trigger	5		86
691	07 Feb 2017 17:37:29	Safe	6	22	86
692	08 Feb 2017 17:43:30	Armed		23	86
693	08 Feb 2017 17:43:30	Trigger	5		86
694	08 Feb 2017 17:43:35	Safe	5	23	86
695	12 Feb 2017 17:40:40	Armed		21	86
696	12 Feb 2017 17:40:40	Trigger	5		86
697	12 Feb 2017 17:40:46	Safe	6	22	85
698	12 Feb 2017 20:43:07	Armed		27	85
699	12 Feb 2017 20:43:13	Trigger	1		85
700	12 Feb 2017 20:43:14	Safe	7	27	85
701	12 Feb 2017 21:02:58	Armed		28	85
702	12 Feb 2017 21:03:08	Safe	10	28	85
703	12 Feb 2017 21:04:01	Armed		29	85
704	12 Feb 2017 21:04:02	Safe	1	29	85
705	12 Feb 2017 21:04:19	Armed		28	85
706	12 Feb 2017 21:04:32	Safe	13	29	85
707	12 Feb 2017 21:04:59	Armed		29	85
708	12 Feb 2017 21:05:08	Safe	9	30	85
709	12 Feb 2017 21:05:52	Armed		29	85

Seq #	Local Time [DD:MM:YYVHhmmss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
710	12 Feb 2017 21:05:59	Safe	7	30	85
711	13 Feb 2017 17:40:53	Armed		24	85
712	13 Feb 2017 17:40:57	Trigger	5		85
713	13 Feb 2017 17:41:02	Safe	9	25	85
714	14 Feb 2017 04:57:18	Armed		30	85
715	14 Feb 2017 04:57:23	Trigger	5		85
716	14 Feb 2017 04:57:29	Safe	11	31	85
717	14 Feb 2017 04:57:47	Armed		31	85
718	14 Feb 2017 04:57:51	Safe	4	30	85
719	14 Feb 2017 17:46:22	Armed		24	85
720	14 Feb 2017 17:46:23	Trigger	5		85
721	14 Feb 2017 17:46:28	Safe	6	25	85
722	14 Feb 2017 22:03:45	Armed		30	85
723	14 Feb 2017 22:03:47	Trigger	1		85
724	14 Feb 2017 22:03:48	Safe	3	29	85
725	15 Feb 2017 02:07:11	Armed		28	85
726	15 Feb 2017 02:07:17	Safe	6	29	85
727	15 Feb 2017 06:09:48	Armed		31	85
728	15 Feb 2017 06:09:50	Safe	2	31	85
729	15 Feb 2017 06:26:16	Armed		31	85
730	15 Feb 2017 06:26:22	Trigger	1		85
731	15 Feb 2017 06:26:23	Safe	7	32	85
732	21 Feb 2017 17:26:46	Armed		22	85
733	21 Feb 2017 17:26:46	Trigger	5		85
734	21 Feb 2017 17:26:51	Safe	5	23	85
735	21 Feb 2017 23:51:22	Armed		20	85
736	21 Feb 2017 23:51:26	Trigger	3		85
737	21 Feb 2017 23:51:29	Safe	7	21	85
738	21 Feb 2017 23:51:30	Armed		20	85
739	21 Feb 2017 23:51:31	Safe	1	21	85

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
740	22 Feb 2017 10:15:07	Armed		25	85
741	22 Feb 2017 10:15:08	Safe	1	24	85
742	22 Feb 2017 12:35:01	Armed		24	85
743	22 Feb 2017 12:35:12	Trigger	5		85
744	22 Feb 2017 12:35:18	Safe	17	26	84
745	22 Feb 2017 12:36:29	Armed		26	84
746	22 Feb 2017 12:36:34	Trigger	5		84
747	22 Feb 2017 12:36:40	Safe	11	26	84
748	22 Feb 2017 13:57:12	USB Connected			
749	22 Feb 2017 13:57:48	Time Sync	22 Feb 2017 13:57:14 to 22 Feb 2017 13:57:48		
750	22 Feb 2017 13:58:01	Time Sync	22 Feb 2017 13:58:01 to 22 Feb 2017 13:58:01		
751	22 Feb 2017 14:04:31	Armed		26	84
752	22 Feb 2017 14:04:31	Trigger	5		84
753	22 Feb 2017 14:04:37	Safe	6	26	84
754	22 Feb 2017 14:04:37	Armed		26	84
755	22 Feb 2017 14:04:38	Safe	1	26	84
756	26 Feb 2017 17:41:21	Armed		23	84
757	26 Feb 2017 17:41:22	Trigger	5		84
758	26 Feb 2017 17:41:27	Safe	6	24	84
759	27 Feb 2017 01:43:26	Armed		29	84
760	27 Feb 2017 01:43:52	Safe	26	29	84
761	27 Feb 2017 17:38:28	Armed		23	84
762	27 Feb 2017 17:38:29	Trigger	5		84
763	27 Feb 2017 17:38:34	Safe	6	22	84
764	28 Feb 2017 00:38:22	Armed		30	84
765	28 Feb 2017 00:38:32	Safe	10	30	84
766	28 Feb 2017 00:46:18	Armed		29	84
767	28 Feb 2017 00:46:24	Safe	6	29	84
768	28 Feb 2017 00:46:27	Armed		30	84
769	28 Feb 2017 00:46:28	Safe	1	30	84

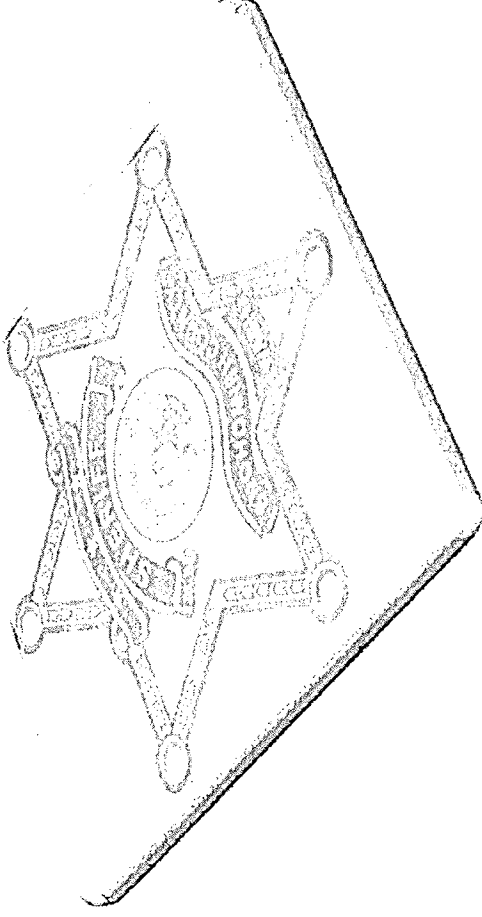
Seq #	Local Time [DD:MM:YY HH:MM:SS]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
770	28 Feb 2017 00:48:56	Armed		29	84
771	28 Feb 2017 00:48:58	Safe	2	30	84
772	05 Mar 2017 17:31:53	Armed		26	84
773	05 Mar 2017 17:31:54	Trigger	5		84
774	05 Mar 2017 17:31:59	Safe	6	26	84
775	05 Mar 2017 23:31:39	Armed		26	84
776	05 Mar 2017 23:31:40	Safe	1	25	84
777	06 Mar 2017 17:39:45	Armed		23	84
778	06 Mar 2017 17:39:45	Trigger	5		84
779	06 Mar 2017 17:39:51	Safe	6	24	84
780	07 Mar 2017 17:36:21	Armed		21	84
781	07 Mar 2017 17:36:22	Trigger	5		84
782	07 Mar 2017 17:36:27	Safe	6	21	83
783	07 Mar 2017 17:55:07	Armed		23	83
784	07 Mar 2017 17:55:08	Safe	1	23	83
785	08 Mar 2017 17:48:42	Armed		24	83
786	08 Mar 2017 17:48:44	Trigger	5		83
787	08 Mar 2017 17:48:49	Safe	7	25	83
788	12 Mar 2017 17:34:15	Armed		21	83
789	12 Mar 2017 17:34:15	Trigger	5		83
790	12 Mar 2017 17:34:21	Safe	6	22	83
791	13 Mar 2017 17:32:28	Armed		23	83
792	13 Mar 2017 17:32:29	Trigger	5		83
793	13 Mar 2017 17:32:34	Safe	6	23	83
794	14 Mar 2017 17:31:25	Armed		23	83
795	14 Mar 2017 17:31:25	Trigger	5		83
796	14 Mar 2017 17:31:31	Safe	5	23	83
797	14 Mar 2017 20:37:35	Armed		29	83
798	14 Mar 2017 20:37:36	Safe	1	28	83
799	16 Mar 2017 00:05:31	Armed		24	83

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
800	16 Mar 2017 00:05:38	Trigger	3		83
801	16 Mar 2017 00:05:42	Safe	11	23	83
802	16 Mar 2017 00:05:44	Armed		25	83
803	16 Mar 2017 00:05:46	Safe	2	24	83
804	16 Mar 2017 00:05:58	Armed		25	83
805	16 Mar 2017 00:05:59	Safe	1	24	83
806	19 Mar 2017 17:47:16	Armed		20	83
807	19 Mar 2017 17:47:17	Trigger	5		83
808	19 Mar 2017 17:47:23	Safe	7	21	83
809	20 Mar 2017 02:11:43	Armed		25	83
810	20 Mar 2017 02:11:46	Safe	3	26	83
811	20 Mar 2017 17:41:55	Armed		24	83
812	20 Mar 2017 17:41:56	Trigger	5		83
813	20 Mar 2017 17:42:01	Safe	6	24	82
814	21 Mar 2017 03:16:45	Armed		29	82
815	21 Mar 2017 03:16:45	Safe	0	30	82
816	21 Mar 2017 17:44:43	Armed		23	82
817	21 Mar 2017 17:44:44	Trigger	5		82
818	21 Mar 2017 17:44:49	Safe	6	23	82
819	21 Mar 2017 21:52:17	Armed		29	82
820	21 Mar 2017 21:52:21	Trigger	5		82
821	21 Mar 2017 21:52:26	Safe	9	29	82
822	21 Mar 2017 21:53:42	Armed		29	82
823	21 Mar 2017 21:53:45	Trigger	3		82
824	21 Mar 2017 21:53:48	Safe	6	29	82
825	21 Mar 2017 21:53:49	Armed		29	82
826	21 Mar 2017 21:53:58	Trigger	5		82
827	21 Mar 2017 21:54:03	Safe	14	30	82
828	21 Mar 2017 22:03:30	Armed		26	82
829	21 Mar 2017 22:03:51	Safe	21	28	82

Seq #	Local Time [DD:MM:YYYYhh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degree Celsius]	Batt Remaining [%]
830	22 Mar 2017 04:40:13	Armed		26	82
831	22 Mar 2017 04:40:14	Safe	1	26	82
832	29 Mar 2017 10:04:32	Armed		28	82
833	29 Mar 2017 10:04:55	Trigger	5		82
834	29 Mar 2017 10:05:02	Safe	30	30	82
835	29 Mar 2017 10:06:05	USB Connected			
836	29 Mar 2017 10:06:12	Time Sync	29 Mar 2017 10:06:07 to 29 Mar 2017 10:06:12		

APPENDIX G

Snohomish County Sheriff's Office



DOMESTIC VIOLENCE TRAINING 2014

Initial Contact

II. Initial Contact with Occupants

- A. Responding officers should identify themselves as police officers and determine whom the complaining party is and why the call was placed.**
- B. Officers should be persistent about observing and speaking alone with the subject of the call.**
- C. If the reporting party is someone other than the subject or subjects of the call, officers should not reveal the caller's identity to the subjects.**
- D. Officers may enter and conduct a search of the premises if consent is given to do so. Consent to search can be given only by a person with authority to do so. The suspect may refuse consent to enter or search.**

Officers may enter a residence without a warrant under the **emergency aid exception** if the following factors are present:

- The officers subjectively believe that they need to enter the residence to provide assistance for health or safety reasons;
- A reasonable person in the same situation would similarly believe that there was need for assistance;
- There is a reasonable basis to associate the need for assistance with the place the officers enter;
- There is an imminent threat of substantial bodily injury to persons or property; and
- The claimed emergency is not a pretext for an evidentiary⁸⁶ search.